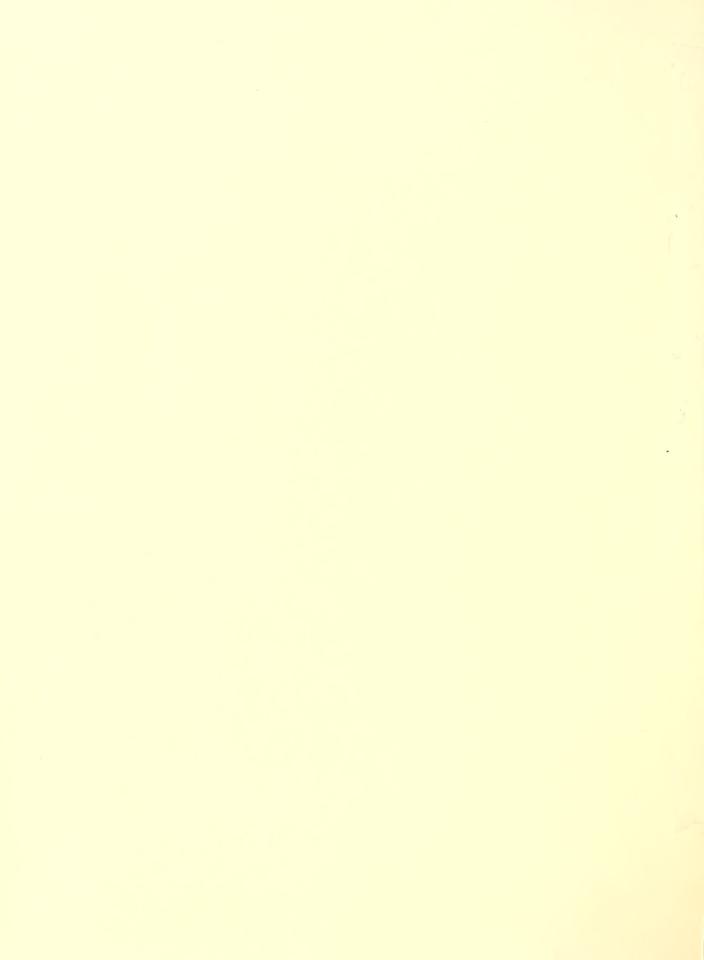
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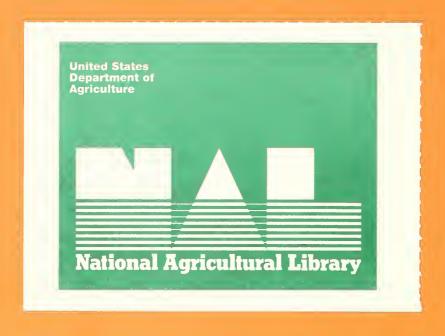
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Compilation of Principal Statutes Related to Agriculture and Forestry Research and Extension Activities and Related Matters

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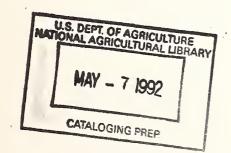
This document was prepared as a working paper. It contains the language of the Food and Agriculture Act of 1977 (P.L. 95-113, 9/29/77) as amended, the Agriculture and Food Act of 1981 (P.L. 97-98, 12/22/81), the Food Security Act of 1985 (P.L. 99-198, 12/23/85), and the Food, Agriculture, Conservation, and Trade Act of 1990 (P.L. 101-624, 11/28/90).



Prepared by Loretta Owens and Patrick Casula August 1991

NATIONAL AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING POLICY ACT OF 1977, AS AMENDED

Section	<u>Title</u>	<u>Page</u>
1401	Short Title	. 1
	SUBTITLE APURPOSES AND DEFINITIONS	
1402 1403	Purposes of Agricultural Research and Extension Additional Purposes of Agricultural Research	. 1
1404	and Extension	
	SUBTITLE BCOORDINATION AND PLANNING OF AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING	
1405	Responsibilities of the Secretary and Department of Agriculture	. 6
1406	Subcommittee on Food, Agricultural, and Forestry Research	. 7
1407 1408	Joint Council on Food and Agricultural Sciences National Agricultural Research and Extension Users Advisory Board	
1408A	Agricultural Science and Technology Review Board	
1409	Existing Research Programs	
1409A	Federal-State Partnership and Coordination	
1410	Secretary's Report	
1410A	National Agricultural Library	. 18
1411	Libraries and Information Network	. 20
1412	Support for the Joint Council, Advisory Board, and Technology Board	. 21
1413	General Provisions	. 21
	SUBTITLE CAGRICULTURAL RESEARCH AND EDUCATION GRANTS AND FELLOWSHIPS	
1414	Program of Competitive, Special, and Facilities Grants for Agricultural Research	. 22
1415	Grants to Enhance Research Capacity in Schools of Veterinary Medicine	. 22
1416	Amendments to the Research Facilities Act of 1963	. 23
1417	Grants and Fellowships for Food and Agricultural Sciences Education	. 24
1418	National Agricultural Science Award	. 26
1419	Grants for Research on the Production and Marketing of Alcohols and Industrial Hydrocarbons from	
1420	Agricultural Commodities and Forest Products Pilot Projects for the Production and Marketing of Industrial Hydrocarbons and Alcohols from Agricultural Commodities and Forest Products	



Section	<u>Title</u>	<u>Page</u>
	SUBTITLE DNATIONAL FOOD AND HUMAN NUTRITION RESEARCH AND EXTENSION PROGRAM	
1421 1422 1423 1424 1425 1426 1427 1428	Findings and Declarations	. 28 . 28 . 29 . 29 . 30 . 30
	SUBTITLE EANIMAL HEALTH AND DISEASE RESEARCH	
1429 1430 1431 1432 1433	Purpose Definitions Authorization to the Secretary of Agriculture Animal Health Science Research Advisory Board Appropriations for Continuing Animal Health and Disease Research Programs	. 32 . 32 . 33
1434	Appropriations for Research on National or Regional Problems	. 35
1435 1436 1437 1438 1439	Availability of Appropriated Funds	. 36 . 36 . 36
	SUBTITLE FSMALL FARM RESEARCH AND EXTENSION	
1440 1441 1442 1443	Small Farm Research and Extension Programs Program Moneys Definition of Small Farmer Reports	. 37
	SUBTITLE G1890 LAND-GRANT COLLEGE FUNDING	
1444	Extension at 1890 Land-Grant Colleges, Including Tuskegee Institute	. 37
1445	Agricultural Research at 1890 Land-Grant Colleges, Including Tuskegee Institute	. 40
1446	Resident Instruction at 1890 Land-Grant Colleges, Including Tuskegee University	. 42
1447	Grants to Upgrade Agricultural and Food Sciences Facilities at 1890 Land-Grant Colleges, Including Tuskegee University	
1448 1449	National Research and Training Centennial Centers	
thru 1457	REPEALED	. 46

Section	<u>Title</u>	Page
	SUBTITLE IINTERNATIONAL AGRICULTURAL RESEARCH AND EXTENSION	
1458 1458A	International Agricultural Research and Extension Grants to States for International Trade	. 46
1430A	Development Centers	. 48
	SUBTITLE JSTUDIES	
1459		
thru 1462	REPEALED	. 49
	SUBTITLE KFUNDING AND MISCELLANEOUS PROVISIONS	
1463	Authorization for Appropriations for Existing and	5.0
1464	Certain New Agricultural Research Programs Authorization for Appropriations for Extension	
1465	Extension Programs for Guam and the Virgin Islands	. 50
	of the United States	
1466	Amendments to the Hatch Act	
1467	Payment of Funds	
1468	Withholding of Funds	. 51
1469	Auditing, Reporting, Bookkeeping, and Administrative Requirements	. 51
1470	Rules and Regulations	
1471	Program Evaluation Studies	. 52
1472	General Authority to Enter into Contracts, Grants, and Cooperative Agreements	. 52
1473	Restriction on Treatment of Indirect Costs and Tuition Remission	
1473A	Cost-Reimbursable Agreements	
1473B	REPEALED	
1473C	REPEALED	
1473D	Supplemental and Alternative Crops	
1473E	Research into New Commercial Products from	. 54
14/3E	Natural Plant Materials	
	Natural Plant Materials	. 55
	SUBTITLE LAQUACULTURE	
1474	Purpose	. 55
1475	Aquaculture Assistance Programs	
1476	Aquaculture Research Facilities	
1477	Authorization for Appropriations	
	SUBTITLE MRANGELAND RESEARCH	
1478	Purpose	. 59
1479	Rangeland Research Program	
1480	Rangeland Research Grants	
1481	Reports	
1482	Rangeland Research Advisory Board	
1483	Appropriations	

FOOD, AGRICULTURE, CONSERVATION, AND TRADE ACT OF 1990 - PUBLIC LAW 101-624 - TITLE XVI--RESEARCH

Section	<u>Title</u>	Page
	SUBTITLE AEXTENSION AND CHANGES TO EXISTING PROGRAMS	
1601	Increased Authorizations for, and the Extension or Repeal of, Existing Programs	61
1602	Purposes of the Agricultural Research and Extension System	
1603 1604	Definitions	62
1605	Users Advisory Board	62 62
1606 1607	National Agricultural Library	62
1608	Veterinary MedicineGrants and Fellowships for Food and Agricultural	
1609	Sciences Education	62
1610	Agricultural Commodities and Forest Products	
1610 1611	Food Science and Nutrition Research Center Animal Health and Disease Research Study and Animal Health Science Research Advisory Board	
1612	Grant Programs for 1890 Land-Grant Colleges, Including Tuskegee University	
1613	International Agricultural Science, Education, and Development and International Trade Development	
1614 1615 1616 1617	Centers	63 63
1618	Act	
	of Virus of Food-and-Mouth Disease SUBTITLE BSUSTAINABLE AGRICULTURE RESEARCH AND EDUCATION	63
1619 1620	Purpose and Definitions	
	CHAPTER 1BEST UTILIZATION OF BIOLOGICAL APPLICATION	S
1621 1622 1623 1624	Research and Extension Projects	67 70
	(Reader should note there are no sections 1625 and 1626)	

<u>Section</u>	<u>Title</u>	Page
	CHAPTER 2INTEGRATED MANAGEMENT SYSTEMS	
1627	Integrated Management Systems	71
	CHAPTER 3SUSTAINABLE AGRICULTURE TECHNOLOGY DEVELOPMENT AND TRANSFER PROGRAM	
1628 1629	Technical Guides and Handbooks	
	(Reader should note there are no sections 1630 and 1631)	
	SUBTITLE CNATIONAL GENETIC RESOURCES PROGRAM	
1632 1633 1634 1635	Establishment, Purpose, and Functions of the National Genetic Resources Program	. 76 . 78
	(Reader should note there is no section 1636)	
	SUBTITLE DNATIONAL AGRICULTURAL WEATHER INFORMATION SYSTEM	ſ
1637 1638 1639 1640 1641	Short Title and Purposes	. 81 . 82 . 83
	(Reader should note there are no sections 1642 and 1643)	
	SUBTITLE ERESEARCH REGARDING THE PRODUCTION, PREPARATION, PROCESSING, HANDLING, AND STORAGE OF AGRICULTURAL PRODUCTS	
1644 1645 1646 1647	Research and Grant Program	85 87
	(Reader should note there are no sections 1648 and 1649)	
	SUBTITLE FPLANT AND ANIMAL PEST AND DISEASE CONTROL PROGRAM	
1650 1651	Plant and Animal Pest and Disease Control Program Pest and Disease Control Data Base and Pesticide Resistance Monitoring	
1652	Research on Exotic Pests	

<u>Section</u>	<u>Title</u>	Page
1653	Study of the Biology and Bahavior of Chinch Bugs, Including Factors Leading to Crop Loss and Development of Improved Management Practices Authorization of Appropriations	89 90
	(Reader should note there are no sections 1655 and 1656)	
	SUBTITLE GALTERNATIVE AGRICULTURAL RESEARCH AND COMMERCIALIZATION	
1657	Short Title, Purposes, and Definitions	90
1658	Alternative Agricultural Research and Commercialization Center	92
1659	Alternative Agricultural Research and	93
1660	Commercialization Board	
1661	Agreements	9 5 97
1662	General Rules Regarding the Provision of Assistance	99
1663	Regional Centers	100
1664	Alternative Agricultural Research and Commercialization Revolving Fund	102
	(Reader should note there are no sections 1665 through 1667)	
	SUBTITLE HMISCELLANEOUS RESEARCH PROVISIONS	
1668 1669 1670 1671 1672	Biotechnology Risk Assessment Research. Graduate School of the Department of Agriculture. Livestock Product Safety and Inspection Program. Plant Genome Mapping Program. Specialized Research Programs. (a) Animal Lean Content. (b) Ethanol. (c) Aflatoxin. (d) Mesquite. (e) Prickly Pear. (f) Immunoassay. (g) Niche Market. (h) Scrapie. (i) Deer Tick. (j) Natural Plant Materials. (k) Administrative Provisions.	104 105 106 107 107 107 107 108 108 109
1673	Agricultural Telecommunications Program	110
1674 1675	Commission on Agricultural Research Facilities National Centers for Agricultural Product Quality	112
10/3	Research	114
1676	Turkey Research Center	116
1677 1678	Reservation Extension Agents	116
10/0	Special Grant to Study Constraints on Agricultural Trade	117
1679	Pilot Project to Coordinate Food and Nutrition Education Programs	118

Section	<u>Title</u>	<u>Page</u>
1680 1681	Assistive Technology Program for Farmers with Disabilities	
	FOOD, AGRICULTURE, CONSERVATION, AND TRADE ACT OF 1990 - PUBLIC LAW 101-624 - TITLE XIVCONSERVATION	N
	(Miscellaneous sections of interest are included in this document. The complete text of Title XIV can be found in the Public Law.)	
1401	Short Title	121
	SUBTITLE DOTHER CONSERVATION MEASURES	
1456	Composting Research and Extension Program	121
	SUBTITLE FADMINISTRATION OF ENVIRONMENTAL PROGRAMS	
1471 1472 1473	Establishment of the Agricultural Council on Environmental Quality Office of Agricultural Environmental Quality Environmental Quality Policy Statement	122
	SUBTITLE GWATER QUALITY RESEARCH, EDUCATION, AND COORDINATION	
1481 1482 1483 1484 1485	Short Title, Purpose, Definitions, and Authorization of Appropriations	126 126 128
	SUBTITLE HPESTICIDES	
1491 1495 1498 1499	Pesticide Recordkeeping	132 133
	FOOD, AGRICULTURE, CONSERVATION, AND TRADE ACT OF 1990 PUBLIC LAW 101-624 - TITLE XXIIIRURAL DEVELOPMENT	0 –
	(Miscellaneous sections of interest are included in this document. Full text of Title XXIII can be found in the Public Law.)	
2301	Short Title	135
	SUBTITLE GRURAL REVITALIZATION THROUGH FORESTRY	
2371	Forestry Rural Revitalization	135

Section	<u>Title</u>	Page
	SUBTITLE HMISCELLANEOUS PROVISIONS	
2381 2389	National Rural Information Center Clearinghouse Effect of Amendments on Current Grant Recipients (Amendments to Title V of the Rural Development Act	
2390 2391	of 1972) Rural Health and Safety Education Rural Health Infrastructure Improvement	137
	FOOD, AGRICULTURE, CONSERVATION, AND TRADE ACT OF 1990 - PUBLIC LAW 101-624 - TITLE XXIVGLOBAL CLIMATE CHANGE	
2401 2402 2403	Short title	139
2404 2405 2406 2407 2408	Forestry Technical Advisory Committee Office of International Forestry Line Item Institutes of Tropical Forestry Amendments to Forest and Rangeland Renewable	141 141 142 142
2409 2410 2411 2412	Resources Planning Act of 1974 Urban Forestry Demonstration Projects Biomass Energy Demonstration Projects Interagency Cooperation to Maximize Biomass Growth Authorization of Appropriations	143 143 143
	FOOD, AGRICULTURE, CONSERVATION, AND TRADE ACT OF 1990 - PUBLIC LAW 101-624 - TITLE XXVOTHER RELATED PROVISIONS	
	(Miscellaneous sections of interest are included in this document. Full text of Title XXV can be found in the Public Law.)	
2501	Outreach and Assistance for Socially Disadvantaged Farmers and Ranchers	144
2506 2510 2515	Pseudorabies Eradication	148
	OTHER ACTS OF INTEREST	
	National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985 (contained in the Food Security Act of 1985)	150
	National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1981 (contained in the Agriculture and Food Act of 1981)	164

OTHER ACTS OF INTEREST (continued)

Competitive, Special and Facilities Grants (contained in the Act of August 4, 1965)	
Research Facilities Act (Act of July 22, 1963)	180
Hatch Act (Act of March 2, 1887)	184
Smith-Lever Act (Act of May 8, 1914)	189
Rural Development Act of 1972 (Title V)	197

NATIONAL AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING POLICY ACT OF 1977, AS AMENDED

NATIONAL AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING POLICY ACT OF 1977¹

SHORT TITLE

SEC. 1401. This title may be cited as the "National Agricultural Research, Extension, and Teaching Policy Act of 1977."

SUBTITLE A-PURPOSES, AND DEFINITIONS²

SEC. 1402.3 PURPOSES OF AGRICULTURAL RESEARCH AND EXTENSION.

Subject to the varying conditions and needs of States, Federally funded agricultural research and extension programs shall be designed to, among other things, accomplish the following--

- (1) continue to satisfy human food and fiber needs;
- (2) enhance the long-term viability and competitiveness of the food production and agricultural system of the United States within the global economy;
- (3) expand economic opportunities in rural America and enhance the quality of life for farmers, rural citizens, and society as a whole;
- (4) improve the productivity of the American agricultural system and develop new agricultural crops and new uses for agricultural commodities;
- (5) develop information and systems to enhance the environment and the natural resource base upon which a sustainable agricultural economy depends; or
 - (6) enhance human health--

¹ The National Agricultural Research, Extension, and Teaching Policy Act of 1977 is set forth in Title XIV of the Food and Agriculture Act of 1977, Public law 95-113, 91 Stat. 981, 7 U.S.C. 3101 et seq. Title XIV was amended by the Energy Security Act, Public Law 96-294, 94 Stat. 705; was further amended by the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1981, which were title XIV of the Agriculture and Food Act of 1981, Public Law 97-98, 95 Stat. 1294 et seq; the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985, which were title XIV of the Food Security Act of 1985, Public Law 99-198, 99 Stat. 1542 et seq.; and title XVI of the Food, Agriculture, Conservation, and Trade Act of 1990 (FACT Act), Public Law 101-624, 104 Stat. 3703 et seq.

² 7 U.S.C. 3101. In original Findings section paragraphs (10) and (11) added by the Amendments of 1981, section 1402, 95 Stat. 1294. Paragraphs (8), (10) and (11) amended by the Amendments of 1985, section 1402, 99 Stat. 1542. The FACT Act of 1990, section 1601(f)(1)(A), 104 Stat. 3704, deleted all Findings.

³ The FACT Act of 1990, section 1602, 104 Stat. 3705, added a new section 1402, Purposes of Agricultural Research and Extension.

- (1) by fostering the availability and affordability of a safe, wholesome, and nutritious food supply that meets the needs and preferences of the consumer; and
- (2) by assisting farmers and other rural residents in the detection and prevention of health and safety concerns.

SEC. 1403.4 ADDITIONAL PURPOSES OF AGRICULTURAL RESEARCH AND EXTENSION.5

The purposes of this title are to--

- (1) establish firmly the Department of Agriculture as the lead agency in the Federal Government for the food and agricultural sciences, and to emphasize that agricultural research, extension, and teaching are distinct missions of the Department of Agriculture;
- (2) undertake the special measures set forth in this title to improve the coordination and planning of agricultural research, extension, and teaching programs, identify needs and establish priorities for these programs, assure that national agricultural research, extension, and teaching objectives are fully achieved, and assure that the results of agricultural research are effectively communicated and demonstrated to farmers, processors, handlers, consumers, and all other users who can benefit therefrom;
- (3) increase cooperation and coordination in the performance of agricultural research by Federal departments and agencies, the States, State agricultural experiment stations, colleges and universities, and user groups;
- (4) enable the Federal Government, the States, colleges and universities, and others to implement needed agricultural research, extension, and teaching programs through the establishment of new programs and the improvement of existing programs, as provided for in this title;
- (5) establish a new program of grants for high-priority agricultural research to be awarded on the basis of competition among research workers and all colleges and universities;
- (6) establish a new program of grants for facilities and instrumentation used in agricultural research; and
- (7) establish a new program of education grants and fellowships to strengthen research, extension, and teaching programs in the food and agricultural sciences, to be awarded on the basis of competition.

⁴ 7 U.S.C. 3101. The Amendments of 1981, section 1403, 95 Stat. 1296, expanded subsection (2) and made the following revisions: (a) in subsection (4) deleted the words "including the initiative specified in section 1402(8) of this title,"; (b) in subsection (5) deleted the word "scientific" after "among"; and (c) in subsection (7) deleted the words "training and research" after the word "strengthen" and inserted in lieu thereof "research, extension, and teaching".

⁵ The FACT Act of 1990, section 1602(b), 104 Stat. 3705, amended the section heading.

DEFINITIONS

SEC. 1404.6 When used in this title--

- (1) the term "Advisory Board" means the National Agricultural Research and Extension Users Advisory Board;
 - (2) the term "agricultural research" means research in the food and agricultural sciences;
- (3) the term "aquaculture" means the propagation and rearing of aquacultural species, including, but not limited to, any species of finfish, mollusk, or crustacean (or other aquatic invertebrate), amphibian, reptile, or aquatic plant, in controlled or selected environments;
- (4) the terms "college" and "university" mean an educational institution in any State which (A) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, (B) is legally authorized within such State to provide a program of education beyond secondary education, (C) provides an educational program for which a bachelor's degree or any other higher degree is awarded, (D) is a public or other nonprofit institution, and (E) is accredited by a nationally recognized accrediting agency or association;
- (5) the term "cooperative extension services" means the organizations established at the land-grant colleges and universities under the Smith-Lever Act of May 8, 1914 (38 Stat. 372-374, as amended; 7 U.S.C. 341-349), and section 209(b) of the Act of October 26, 1974 (88 Stat. 1428, as amended; D.C. Code, sec. 31-1719(b));
- (6) the term "Department of Agriculture" means the United States Department of Agriculture;
- (7) the term "extension" means the informal education programs conducted in the States in cooperation with the Department of Agriculture;
- (8) the term "food and agricultural sciences" means basic, applied, and developmental research, extension, and teaching activities in the food, agricultural, renewable natural resources, forestry, and physical and social sciences, in the broadest sense of these terms, including but not limited to, activities relating to:
 - (A) agriculture, including soil and water conservation and use, the use of organic waste materials to improve soil tilth and fertility, plant and animal production and protection, and plant and animal health;

⁶ 7 U.S.C. 3103. The Amendments of 1981, section 1404, 95 Stat. 1297, in paragraph (8) broadened the definition of "food and agricultural sciences"; in paragraph (12) expanded the definition of "State" to include American Samoa, the Commonwealth of the Northern Marianas and the Trust Territory of the Pacific Islands; in paragraph (14) expanded the definition of the term "teaching"; and added new paragraphs (15) and (16). The Amendments of 1985, section 1402, 99 Stat. 1544, in paragraph (8) added a new subparagraph (J). The FACT Act of 1990, section 1603, 104 Stat. 3705, amended paragraph (16)(F) to include subtitle "G" in the definition of "State cooperative institutions" or "State cooperative agents" and adding new paragraphs (17) and (18).

- (B) the processing, distributing, marketing, and utilization of food and agricultural products;
- (C) forestry, including range management, production of forest and range products, multiple use of forest and rangelands, and urban forestry;
 - (D) aquaculture;
- (E) home economics, including consumer affairs, food and nutrition, clothing and textiles, housing, and family well-being and financial management;
 - (F) rural community welfare and development;
 - (G) youth development, including 4-H clubs;
 - (H) domestic and export market expansion for United States agricultural products;
 - (I) production inputs, such as energy, to improve productivity; and
- (J) international food and agricultural issues, such as agricultural development, development of institutions, germ plasm collection and preservation, information exchange and storage, and scientific exchanges;
- (9) the term "Joint Council" means the Joint Council on Food and Agricultural Sciences;
- (10) the term "land-grant colleges and universities" means those institutions eligible to receive funds under the Act of July 2, 1862 (12 Stat. 503-505, as amended; 7 U.S.C. 301-305, 307 and 308), or the Act of August 30, 1890 (26 Stat. 417-419, as amended; 7 U.S.C. 321-326 and 328), including the Tuskegee Institute;
- (11) the term "Secretary" means the Secretary of Agriculture of the United States;
- (12) the term "State" means any one of the fifty States, the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Marianas, the Trust Territory of the Pacific Islands, the Virgin Islands of the United States, and the District of Columbia;
- (13) the term "State agricultural experiment stations" means those institutions eligible to receive funds under the Act of March 2, 1887 (24 Stat. 440-442, as amended; 7 U.S.C. 361a-361i);
- (14) the term "teaching" means formal classroom instruction, laboratory instruction, and practicum experience in the food and agricultural sciences and matters relating thereto (such as faculty development, student recruitment and services, curriculum development, instructional materials and equipment, and innovative teaching methodologies) conducted by colleges and universities offering baccalaureate or higher degrees;
- (15) the term "cooperating forestry schools" means those institutions eligible to receive funds under the Act of October 10, 1962 (16 U.S.C. 582a et seq.), commonly known as the McIntire-Stennis Act of 1962;
- (16) the term "State cooperative institutions" or "State cooperative agents" means institutions or agents designated by--

- (A) the Act of July 2, 1862 (7 U.S.C. 301 et seq.), commonly known as the First Morrill Act;
- (B) the Act of August 30, 1890 (7 U.S.C. 321 et seq.), commonly known as the Second Morrill Act, including the Tuskegee Institute;
- (C) the Act of March 2, 1887 (7 U.S.C. 361a et seq.), commonly known as the Hatch Act of 1887;
- (D) the Act of May 8, 1914 (7 U.S.C. 341 et seq.), commonly known as the Smith-Lever Act;
- (E) the Act of October 10, 1962 (16 U.S.C. 582a et seq.), commonly known as the McIntire-Stennis Act of 1962; and
 - (F) subtitles E, G, L, and M of this title;
- (17) the term "sustainable agriculture" means an integrated system of plant and animal production practices having a site-specific application that will, over the long-term--
 - (A) satisfy human food and fiber needs;
 - (B) enhance environmental quality and the natural resource base upon which the agriculture economy depends;
 - (C) make the most efficient use of nonrenewable resources and on-farm resources and integrated, where appropriate, natural biological cycles and controls;
 - (D) sustain the economic viability of farm operations; and
 - (E) enhance the quality of life for farmers and society as a whole; and
- (18) the term "Technology Board" means the Agricultural Science Technology Review Board established in section 1408A.

SUBTITLE B-COORDINATION AND PLANNING OF AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING

RESPONSIBILITIES OF THE SECRETARY AND DEPARTMENT OF AGRICULTURE

- SEC. 1405.⁷ The Department of Agriculture is designated as the lead agency of the Federal Government for agricultural research (except with respect to the biomedical aspects of human nutrition concerned with diagnosis or treatment of disease), extension, and teaching in the food and agricultural sciences, and the Secretary, in carrying out the Secretary's responsibilities, shall--
 - (1) establish jointly with the Secretary of Health and Human Services procedures for coordination with respect to nutrition research in areas of mutual interest;
 - (2) keep informed of developments in, and the Nation's need for, research, extension, teaching, and manpower development in the food and agricultural sciences and represent such need in deliberations within the Department of Agriculture, elsewhere within the executive branch of the United States Government, and with the several States and their designated land-grant colleges and universities, other colleges and universities, agricultural and related industries, and other interested institutions and groups;
 - (3) coordinate all agricultural research, extension, and teaching activity conducted or financed by the Department of Agriculture and, to the maximum extent practicable, by other agencies of the executive branch of the United States Government;
 - (4) take the initiative in establishing coordination of State-Federal cooperative agricultural research, extension, and teaching programs, funded in whole or in part by the Department of Agriculture in each State, through the administrative heads of land-grant colleges and universities and the State directors of agricultural experiment stations and cooperative extension services, and other appropriate program administrators;
 - (5) consult the Joint Council, Advisory Board, and appropriate advisory committees of the Department of Agriculture in the formulation of basic policies, goals, strategies, and priorities for programs of agricultural research, extension, and teaching;
 - (6) report (as part of the Department of Agriculture's annual budget submissions) to the House Committee on Agriculture, the House Committee on Appropriations, the Senate Committee on Agriculture, Nutrition, and Forestry, and the Senate Committee on Appropriations actions taken or proposed to support the recommendations of the Advisory Board;

⁷ 7 U.S.C. 3121. The Amendments of 1981, section 1405, 95 Stat. 1298, in paragraph (1) changed the reference from "Secretary of Health, Education, and Welfare" to "Secretary of Health and Human Services"; in paragraph (5) deleted the word "other" before "appropriate advisory committees"; in paragraph (6) added the words "or proposed" after "actions taken"; and added new paragraphs (10) and (11). The Amendments of 1985, section 1404, 99 Stat. 1544, struck paragraph (11) and inserted in lieu thereof new paragraphs (11) and (12). The FACT Act of 1990, section 1605(b)(3), 104 Stat. 3714, in paragraph (12) added the words ", after coordination with the Technology Board,".

- (7) establish appropriate review procedures to assure that agricultural research projects are timely and properly reported and published and that there is no unnecessary duplication of effort or overlapping between agricultural research units;
- (8) establish Federal or cooperative multidisciplinary research teams on major agricultural research problems with clearly defined leadership, budget responsibility, and research programs;
- (9) in order to promote the coordination of agricultural research of the Department of Agriculture, conduct a continuing inventory of ongoing and completed research projects being conducted within or funded by the Department;
- (10) coordinate all agricultural research, extension, and teaching activities conducted or financed by the Department of Agriculture with the periodic renewable resource assessment and program provided for in sections 3 and 4 of the Forest and Rangeland Renewable Resources Planning Act of 1974 and the appraisal and program provided for in sections 5 and 6 of the Soil and Water Resources Conservation Act of 1977;
- (11) coordinate the efforts of States, State cooperative institutions, State extension services, the Joint Council, the Advisory Board, and other appropriate institutions in assessing the current status of, and developing a plan for, the effective transfer of new technologies, including biotechnology, to the farming community, with particular emphasis on addressing the unique problems of small- and medium-sized farms in gaining information about those technologies; and
- (12) establish, after coordination with the Technology Board, appropriate controls with respect to the development and use of the application of biotechnology to agriculture.

SUBCOMMITTEE ON FOOD, AGRICULTURAL, AND FORESTRY RESEARCH

SEC. 1406.8 Section 401(h) of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (90 Stat. 471; 42 U.S.C. 6651(h)) is amended by adding at the end thereof the following: "Among such standing subcommittees and panels of the Council shall be the Subcommittee on Food, Agricultural, and Forestry Research. This subcommittee shall review Federal research and development programs relevant to domestic and world food and fiber production and distribution, promote planning and coordination of this research in the Federal Government, and recommend policies and other measures concerning the food and agricultural sciences for the consideration of the Council. The subcommittee shall include, but not be limited to, representatives of each of the following departments or agencies; the Department of Agriculture, the Department of State, the Department of Defense, the Department of the Interior, the Department of Health and Human Services, the National Oceanic and Atmospheric Administration, the Department of Energy, the National Science Foundation, the Environmental Protection Agency, and the Tennessee Valley Authority. The principal representatives of the Department of Agriculture shall serve as the chairman of the subcommittee."

^{8 42} U.S.C. 6651, 91 Stat. 986. The Amendments of 1981, section 1406, 95 Stat. 1298, amended the title; deleted the words "Subcommittee on Food and Renewable Resources" and inserted in lieu thereof the words "Subcommittee on Food, Agricultural, and Forestry Research"; corrected the name of the Department of Health and Human Services; and struck out the words "Energy Research and Development Administration" and inserted in lieu thereof "Department of Energy".

SEC. 1407.º JOINT COUNCIL ON FOOD AND AGRICULTURAL SCIENCES.

- (a) ESTABLISHMENT.--The Secretary shall establish within the Department of Agriculture a committee to be known as the Joint Council on Food and Agricultural Sciences which shall remain in existence until September 30, 1995.
- (b) MEMBERSHIP.--The Joint Council shall be composed of not less than 21 representatives of organizations or agencies which conduct or assist in conducting programs of research, extension, or teaching in the food and agricultural sciences, including the following:
 - (1) Six representatives from State cooperative institutions, including at least one from institutions eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321 et seq.), including Tuskegee University.
 - (2) Four representatives from agencies within the Department of Agriculture which have significant research, extension, and teaching responsibilities.
 - (3) One representative from public colleges and universities having a demonstrable capacity to carry out food and agricultural research, extension, or teaching.
 - (4) One representative from colleges and universities conducting research related to the food and agricultural sciences.
 - (5) Three representatives from private organizations or corporations conducting research in the food and agricultural sciences, including one representative from the food processing industry involved in food technology research.
 - (6) One representative from among foundations funding research in the food and agricultural sciences.
 - (7) One representative from among farmers, ranchers, and other producers of domestic agricultural commodities.
 - (8) One representative from the Office of Science and Technology Policy.
 - (9) Two representatives from other Federal agencies determined by the Secretary to be appropriate.

⁹ 7 U.S.C. 3122. The Amendments of 1981, section 1407(a), 95 Stat. 1299, provided that the term of the Joint Council would expire September 30, 1985. The Amendments of 1985, section 1405(a), 99 Stat. 1545, struck "1985" and inserted in lieu thereof "1990". The Amendments of 1981, section 1407(b), 95 Stat. 1299, expanded the membership of the Joint Council. The Amendments of 1985, section 1405(b), 99 Stat. 1545, further expanded the membership to include a food technologist. The Amendments of 1981, section 1407(c), 95 Stat. 1299, redefined the primary responsibilities of the Joint Council. The Amendments of 1981, section 1407(d), 95 Stat. 1299, 1300, added a provision that the Joint Council use existing State cooperative institutions to provide regional planning and coordination, wherever possible. The Amendments of 1985, section 1405(c) added a provision that the Joint Council coordinate with the Secretary in a plan for the effective transfer of new technologies to the farming community. The Amendments of 1981, section 1407(e), 95 Stat. 1300, rewrote this provision to require the Joint Council to submit to the Secretary three annual reports. The Amendments of 1981, section 1407(f), 95 Stat. 1300, added new subsections (e) and (f). The FACT Act of 1990, section 1604(a), 104 Stat. 3706, rewrote section 1407 in its entirety.

- (10) One representative from the National Academy of Sciences.
- (11) To the extent the Joint Council is composed of more than 21 members, representatives of other public and private institutions, producers, and representratives of the public who are interested in and have the potential to contribute to (as determined by the Secretary) the formulation of national policy in the food and agricultural sciences.

(c) ADMINISTRATIVE PROVISIONS.--

- (1) TERMS.--Members of the Joint Council shall be appointed for a term of up to three years by the Secretary from nominations made by the organizations and agencies described in subsection (b). The terms of the members shall be staggered.
- (2) CHAIRPERSON.--The Joint Council shall be jointly chaired by the Assistant Secretary of Agriculture for research, extension, and teaching, and a person to be elected from among the non-Federal membership of the Joint Council.
- (3) MEETINGS.--The Joint Council shall meet at least once during each three-month period. At least one meeting each year shall be a combined meeting with the Advisory Board. The meetings of the Joint Council shall be publicly announced in advance and shall be open to the public. Appropriate records of the activities of the Joint Council shall be kept and made available to the public on request.
- (d) PRIMARY RESPONSIBILITY.--The primary responsibility of the Joint Council is to bring about more effective research, extension, and teaching in the food and agricultural sciences in the United States by improving the planning and coordination of publicly and privately supported food and agricultural science activities and by relating Federal budget development and program management to these processes.
- (e) OTHER RESPONSIBILITIES.--The responsibilities of the Joint Council shall also include the following:
 - (1) Provide a forum for the interchange of information among the organizations represented by the members of the Joint Council that will assure improved awareness among these organizations concerning the agricultural research, extension, and teaching programs, results, and directions of each organization.
 - (2) Analyze and evaluate the economic, environmental, and social impacts of agricultural research, extension, and teaching programs conducted in the United States.
 - (3) Determine high priority issues and goals for agricultural research, extension, and teaching programs, and submit annual reports identifying such high priority issues and goals to the Secretary and to Congress.
 - (4) Develop and review the effectiveness of a system, for use by the Secretary, of compiling, maintaining, and disseminating information about each federally supported agricultural research or extension project and, to the maximum extent possible, information about private agricultural research and extension projects conducted by colleges and universities, foundations, contract research groups, businesses, and others. Information about private agricultural research and extension shall not be included in this system unless they are partially or entirely funded by the Federal Government or the organizations sponsoring the projects agree to the inclusions of information about such projects.

- (5) Assist the parties in developing, reviewing, and evaluating memoranda of understanding or other documents that detail the terms and conditions between the Secretary and the participants in agricultural research, extension, and teaching programs under this Act and other Acts.
- (6) Assist the Secretary in carrying out the responsibilities assigned to the Secretary under this title through planning and coordination in the food and agricultural sciences, by using, wherever possible, the existing regional research, extension, and teaching organizations of State cooperative institutions to provide regional planning and coordination, and by the development of recommendations and reports describing current and long-range needs, priorities, and goals in the food and agricultural sciences and means to achieve these goals.
- (7) Coordinate with the Secretary in assessing the current status of, and developing a plan for, the effective transfer of new technologies to the farming community.[;]¹⁰
 - (8) In consultation with the Users Advisory Board--
 - (A) provide an annual review and prioritize requests for agricultural related special grants and construction grants;
 - (B) provide an annual review of the competitive grants made by the Secretary to determine priority research and grant categories and types that best advance the purposes expressed in section 1402; and
 - (C) review and make budget recommendations on the research, extension, and teaching budgets for the Agricultural Research Service, the Forest Service, the Economic Research Service, the Extension Service, the National Agricultural Library, the Cooperative State Research Service, and other department agencies.

(f) REPORTS .--

- (1) ANNUAL REPORT.--Not later than June 30 of each year, the Joint Council shall prepare a report specifying its conclusions on--
 - (A) priorities for food and agricultural research, extension, and teaching programs;
 - (B) suggested areas of responsibility among Federal, State, and private organizations in carrying out such programs;
 - (C) the levels of financial and other support needed to carry out such programs;
 - (D) the progress made toward accomplishing the priorities and associated levels of financial and other support recommended in the annual report issued in the prior year; and
 - (E) the activities of the Board in meeting its responsibilities under this section.
- (2) FIVE-YEAR PLAN.--Not later than November 30, 1990, the Joint Council shall prepare a report outlining a five-year plan for food and agricultiural sciences that reflects the coordinated views of the research, extension, and teaching community. The Joint Council shall update this plan every two years thereafter in reports reflecting the progress being made toward implementing the plan.

¹⁰ Semicolon printed in original law; appears to be an error in construction; should be a period.

(3) SUBMISSION OF REPORTS.--Each report prepared under this subsection shall be submitted to the Secretary. Minority views, if timely submitted, shall be included in each such report.

SEC. 1408." NATIONAL AGRICULTURAL RESEARCH AND EXTENSION USERS ADVISORY BOARD.

- (a) ESTABLISHMENT.--The Secretary shall establish within the Department of Agriculture a board to be known as the National Agricultural Research and Extension Users Advisory Board which shall remain in existence until September 30, 1995.
- (b) MEMBERSHIP.--The Advisory Board shall be composed of 21 members appointed by the Secretary. The members shall be appointed to serve staggered terms, in a manner determined appropriate by the Secretary. The members of the Advisory Board shall consist of the following:
 - (1) One member who is a producer representing farm cooperatives.
 - (2) Two members who are producers representing general farm organizations.
 - (3) Four members who are producers representing agricultural commodities, forest product, and aquacultural product groups from various geographic regions.
 - (4) One member representing agricultural farm suppliers.
 - (5) One member representing food and fiber processors.
 - (6) One member representing animal health interests.
 - (7) One member engaged in transportation of food and agricultural products to domestic or foreign markets.
 - (8) One member representing labor organizations primarily concerned with the production, processing, distribution, or transport of food and agricultural products.
 - (9) One member representing food marketing interests.
 - (10) One member representing private nonprofit organizations and foundations involved in agricultural research, sustainable agricultural research, education, and extension.
 - (11) One member representing private sector organizations involved in development programs and issues in developing countries.

¹¹ 7 U.S.C. 3123. The Amendments of 1981, section 1408(a), 95 Stat. 1300, provided that the Board would expire on September 30, 1985. The Amendments of 1985, section 1406(a), 99 Stat. 1545, struck "1985" and inserted in lieu thereof "1990". The Amendments of 1981, section 1408(b), 95 Stat. 1300, expanded the membership of the UAB from 21 to 25, to be from different geographic areas, and to serve staggered terms. The Amendments of 1981, section 1408(c), 95 Stat. 1301, changed the funding recommendations report due date from October 31 to July 1 and the appraisal of the President's proposed budget report due date from March 1 to February 20. The Amendments of 1985, section 1406(b), 99 Stat. 1545, added a provision that the UAB coordinate with the Secretary in a plan for the effective transfer of new technologies to the farming community. The FACT Act of 1990, section 1604(B), 104 Stat. 3709, rewrote section 1408 in its entirety.

- (12) One member representing agencies of the Department of Agriculture that do not have research capabilities.
 - (13) One member engaged in rural development work.
 - (14) One member engaged in human nutrition work.
- (15) Two members representing consumer interests, including one member who represents nonprofit consumer advocacy ortganizations.
 - (16) One member representing nonprofit environmental protection organizations.
- (c) CHAIRPERSON; VICE-CHAIRPERSON.--At the first meeting each year of the Advisory Board, the members of the Advisory Board shall elect a chairperson and vice-chairperson from the members. The chairperson and vice-chairperson shall serve in such positions for a term of one year.
- (d) MEETINGS.--The Advisory Board shall meet a sufficient number of times each year to carry out its responsibilities under subsection (f). At least one meeting each year shall be held as a combined meeting with the Joint Council.
- (e) PANELS.--The Advisory Board may establish such panels as the Advisory Board considers appropriate to develop information, reports, advice, and recommendations for the use of the Advisory Board in meeting the responsibilities of the Advisory Board. Members of such panels may include members of the Advisory Board, Advisory Board staff members, individuals from the Department of Agriculture and other departments and agencies of the Federal government, and individuals from the private sector who have expertise in the subject to be examined by the panel.

(f) RESPONSIBILITIES.--

- (1) ADVISORY OPINIONS.--The Advisory Board shall have general responsibility for preparing independent advisory opinions on the food and agricultural sciences.
- (2) SPECIFIC DUTIES.--The Advisory Board shall have specific responsibility to perform the following duties:
 - (A) Review the policies, plans, and goals of programs within the Department of Agriculture involving the food and agricultural sciences, and related programs in other Federal and State departments and agencies and in the colleges and universities developed by the Secretary under this title.
 - (B) Review and assess the extent of agricultural research, teaching, and extension being conducted by the private sector and the relationships and coordination of such activities with Federally supported agricultural research, teaching, and extension programs.
 - (C) Review and provide consultation to the Secretary on national policies, priorities, and strategies for agricultural research and extension for both the short and long term.
 - (D) Assess the overall adequacy of the distribution of resources and the allocation of funds for the agricultural research, extension, and teaching activities of the Department of Agriculture and make recommendations with regard to such

distribution and allocation to the Secretary, Federal agencies, and private organizations that are contributing to the funding of agricultural research, extension, and teaching.

- (E) Identify emerging agricultural research, teaching, and extension issues and suggest programs and technology transfer solutions for use by the public and private agricultural science and education community.
- (F) Evaluate the results and the effectiveness of research and extension programs with regard to their influence on long-term goals of agriculture expressed in section 1402 and 1403 and consumer needs.

(g) REPORTS BY THE ADVISORY BOARD.--

- (1) EXAMINATION OF FEDERALLY SUPPORTED AGRICULTURAL RESEARCH AND EXTENSION PROGRAMS.--Not later than July I of each year, the Advisory Board shall provide an oral briefing to the Secretary (by the chairperson of the Advisory Board) and a written report to Congress and the Secretary of recommendations concerning the allocation of responsibilities and levels of funding among Federally supported agricultural research and extension programs. The Advisory Board shall include in each oral briefing and written report prepared under this paragraph--
 - (A) a review and assessment of the allocation of funds for agricultural research and extension made for the preceding fiscal year by the Department of Agriculture;
 - (B) an evaluation of--
 - (i) the effectiveness of coordination of Federal and private research initiatives;
 - (ii) new research and extension programs that need to be conducted by the research system; and
 - (iii) the effectiveness of the private and public research and extension system; and
 - (C) minority views, if timely submitted.
- (2) REVIEW OF BUDGET AND SECRETARY'S REPORT.--Not later than February 20 of each year, the Advisory Board shall submit to the President, the Committees on Agriculture and Appropriations of the House of Representatives, and the Committees on Agriculture, Nutrition, and Forestry and Appropriations of the Senate a report containing-
 - (A) an appraisal by the Advisory Board of the proposed budget of the President for the food and agricultural sciences for the fiscal year beginning in the year that report is submitted;
 - (B) the recommendations of the Secretary contained in the annual report submitted by the Secretary pursuant to section 1410; and
 - (C) separate views of members of the Advisory Board, if timely submitted.

- (3) REQUIREMENT OF REPORTS.--Each report prepared by the Advisory Board shall list the membership of the Advisory Board as of the time the report was prepared, including the organizational and employment affiliation of each member of the Advisory Board.
- (h) REPORT BY SECRETARY.--Not later than February 1 of each year, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the manner in which the recommendations of the Advisory Board have been incorporated into the budget and programs of the Department of Agriculture.

SEC. 1408A.¹² AGRICULTURAL SCIENCE AND TECHNOLOGY REVIEW BOARD.

(a) ESTABLISHMENT.--The Secretary, acting through the Joint Council, shall establish and oversee an Agricultural Science Technology Review Board.

(b) MEMBERSHIP .--

- (1) COMPOSITION.--The Technology Board shall be composed of 11 individuals, to be appointed by the Secretary, who have expertise in technology assessment, environmental sciences, international agricultural issues, the social sciences, agricultural sciences (both basic and applied), technology transfer, and education, including representatives of--
 - (A) the Agricultural Research Service;
 - (B) the Cooperative State Research Service;
 - (C) the Extension Service;
 - (D) private foundations and nonprofit organizations who have expertise in agricultural research, education, and technology transfer;
 - (E) private agricultural research and technology transfer firms; and
 - (F) the Land Grant University System.
- (2) MANNER OF APPOINTMENT.--The Secretary shall appoint members of the Technology Board in a manner determined to be appropriate by the Secretary.
- (3) PRIVATE SECTOR REPRESENTATION.--A majority of the members of the Technology Board appointed under paragraph (1) shall be from the private sector.
- (4) TERM.--Members of the Technology Board shall serve for staggered terms of 3 years, as determined appropriate by the Secretary.
- (5) CHAIRPERSON.--The Technology Board shall select a chairperson from its membership, who shall serve in that position for a term of 1 year.

¹² 7 U.S.C. 3123A. The FACT Act of 1990, section 1605(a), 104 Stat. 3711, added a new section 1408A providing for the establishment of an Agricultural Science and Technology Review Board. It should be noted there is a discrepancy in the title of the Board and as it is referenced in subsection (a).

(c) TECHNICAL INTERPRETATION AND ASSESSMENTS.--

(1) IN GENERAL.--The Technology Board shall--

- (A) provide technical interpretation and translation of current and emerging agricultural and environmental science issues for use by the Joint Council and the Advisory Board in setting priorities and conducting evaluations; and
- (B) provide technology assessment of current and emerging public and private agricultural research and technology transfer initiatives, including emerging technologies from private industry and public institutions that would influence agriculture, environment, nutrition, and the broad social, economic, and health consequences on urban and rural communities.
- (2) ASSESSMENTS.--The Technology Board may conduct assessments to consider to what extent agricultural research and extension programs foster--
 - (A) the development of farming systems that most effectively take advantage of natural processes and beneficial biological interactions and other sustainable agriculture techniques;
 - (B) genetics research that results in crop varieties and livestock that enhance management options, farm productivity, use of inputs, and a diversity of products that can be marketed by the farm operator;
 - (C) research to develop farming systems appropriate to climatological uncertainty;
 - (D) research to increase the demand for current farm products, and to develop new farm crops and enterprises, that are economically and environmentally advantageous and enhance agricultural diversity;
 - (E) research to enhance economic and societal well-being;
 - (F) research that develops rural economic development strategies that build on the entrepreneurial skills, self-employment tradition, and the resource base of rural communities and extension programs to disseminate those strategies:
 - (G) innovative extension and education programs that transfer new technology to the rural community including small- and moderate-sized family farmers and potential beginning and minority farmers with limited resources; and
 - (H) extension programs that substantially involve a broad range of interested individuals, commodity groups, agri-industry groups, farm groups, rural organizations, community groups, farmerworkers, and environmental organizations to broaden input into research and extension priority setting.

(d) TECHNOLOGY ASSESSMENT REPORT. --

(1) IN GENERAL.--Not later than December 31 of each year, the Technology Board shall prepare a report that contains a technology assessment of emerging public and private agricultural research initiatives and activities, including--

- (A) recommendations on how such research would be best directed to advance the purposes set forth in section 1402; and
- (B) an assessment of activities conducted by the Secretary, research components of public and private colleges and universities, and emerging private agricultural research initiatives.
- (2) RECIPIENTS.--The Technology Board shall submit the report required under paragraph (1) to the appropriate Committees of Congress, to the Secretary, to the heads of other Federal agencies who support agricultural research, and (on request) to private organizations who have a significant involvement in agricultural research.
- (3) MINORITY VIEWS.--The Technology Board shall include minority views in the report, if timely submitted.

EXISTING RESEARCH PROGRAMS

SEC. 1409.¹³ It is the intent of Congress in enacting this title to augment, coordinate, and supplement the planning, initiation, and conduct of agricultural research programs existing prior to the enactment of this title, except that it is not the intent of Congress in enacting this title to limit the authority of the Secretary of Health and Human Services under any Act which the Secretary of Health and Human Services administers.

FEDERAL-STATE PARTNERSHIP AND COORDINATION

- SEC. 1409A.¹⁴ (a) A unique partnership arrangement exists in food and agricultural research, extension, and teaching between the Federal Government and the governments of the several States whereby the States have accepted and have supported, through legislation and appropriations--
 - (1) research programs under--
 - (A) the Act of March 2, 1887 (7 U.S.C. 361a et seq.), commonly known as the Hatch Act of 1887;
 - (B) the Act of October 10, 1962 (16 U.S.C. 582a et seq.), commonly known as the McIntire-Stennis Act of 1962;
 - (C) subtitle E of this title; and
 - (D) subtitle G of this title;
 - (2) extension programs under subtitle G of this title and the Act of May 8, 1914 (7 U.S.C. 341 et seq.), commonly known as the Smith-Lever Act;
 - (3) teaching programs under--

¹³ 7 U.S.C. 3124. The Amendments of 1981, section 1409, 95 Stat. 1301, changed the reference from the Department and Secretary of Health, Education, and Welfare to Health and Human Services.

¹⁴ 7 U.S.C. 3124a. The Amendments of 1981, section 1410(a), 95 Stat. 1301, added new section 1409A.

- (A) the Act of July 2, 1862 (7 U.S.C. 301 et seq.), commonly known as the First Morrill Act;
- (B) the Act of August 30, 1890 (7 U.S.C. 321 et seq.), commonly known as the Second Morrill Act; and
- (C) the Act of June 29, 1935 (7 U.S.C. 329), commonly known as the Bankhead-Jones Act; and
- (4)¹⁵ international agricultural programs under title XII of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a et seq.).

This partnership in publicly supported agricultural research, extension, and teaching involving the programs of Federal agencies and the programs of the States has played a major role in the outstanding successes achieved in meeting the varied, dispersed, and in many cases, site-specific needs of American agriculture. This partnership must be preserved and enhanced.

- (b) In order to promote research and education in food and human nutrition, the Secretary may establish cooperative human nutrition centers to focus resources, facilities, and scientific expertise on particular high priority nutrition problems identified by the Department. Such centers shall be established at State cooperative institutions; and at other colleges and universities, having a demonstrable capacity to carry out human nutrition research and education.
- (c)¹⁶(1) To promote research for purposes of developing agricultural policy alternatives, the Secretary is encouraged--
 - (A) to designate at least one State cooperative institution to conduct research in an interdisciplinary fashion; and
 - (B) to report on a regular basis with respect to the effect of emerging technological, economic, sociological, and environmental developments on the structure of agriculture.
- (2) Support for this effort should include grants to examine the role of various food production, processing, and distribution systems that may primarily benefit small- and medium-sized family farms, such as diversified farm plans, energy, water, and soil conservation technologies, direct and cooperative marketing, production and processing cooperatives, and rural community resource management.
- (d) To address more effectively the critical need for reducing farm input costs, improving soil, water, and energy conservation on farms and in rural areas, using sustainable agricultural methods, adopting alternative processing and marketing systems, and encouraging rural resources management, the Secretary is encouraged to designate at least one State agricultural experiment station and one Agricultural Research Service facility to examine these issues in an integrated and comprehensive manner, while conducting ongoing pilot projects contributing additional research through the Federal-State partnership.

¹⁵ The Amendments of 1985, section 1407(a), 99 Stat 1545, added a new paragraph (4).

¹⁶ The FACT Act of 1990, section 1601(f)(1)(B), 104 Stat. 3704, deleted subsection (c) to conform to the deletion of the Findings and redesignated subsections (d) and (e) as subsections (c) and (d), respectively.

SECRETARY'S REPORT

- SEC. 1410¹⁷ The Secretary shall submit to the President and Congress by January I of each year a report on the Nation's agricultural research, extension, and teaching activities, and such report shall include--
 - (1) a review covering the following three categories of activities of the Department of Agriculture with respect to agricultural research, extension, and teaching activities and the relationship of these activities to similar activities of other departments and agencies of the Federal Government, the States, colleges and universities, and the private sector--
 - (A) a current inventory of such activities organized by statutory authorization and budget outlay;
 - (B) a current inventory of such activities organized by field of basic and applied science; and
 - (C) a current inventory of such activities organized by commodity and product category;
 - (2)¹⁸ the recommendations of the Joint Council developed under section 1407(f), the recommendations of the Advisory Board developed under section 1408(g), and the recommendations of the Technology Board developed under section 1408A(d); and
 - (3) in the second and succeeding years, a five-year projection of national priorities with respect to agricultural research, extension, and teaching, taking into account both domestic and international needs.

SEC. 1410A.19 NATIONAL AGRICULTURAL LIBRARY.

- (a) PURPOSE.--The purpose of this section is to consolidate and expand the statutory authority for the operation of the library of the Department of Agriculture established pursuant to section 520 of the Revised Statutes (7 U.S.C. 2201) as the primary agricultural information resource of the United States.
- (b) ESTABLISHMENT.--There is established in the Department of Agriculture the National Agricultural Library to serve as the primary agricultural information resource of the United States.
- (c) DIRECTOR.--The Secretary shall appoint a Director for the National Agricultural Library who shall be subject to the direction of the Secretary.
 - (d) FUNCTIONS OF DIRECTOR.--The Director may--

¹⁷ 7 U.S.C. 3125. The Amendments of 1981, section 1411, 95 Stat. 1302, changed the due date of the Secretary's Report from February I to January I and added a new paragraph (4). The Amendments of 1985, section 1408, 99 Stat. 1546, deleted paragraph (4).

¹⁸ The FACT Act of 1990, section 1605(b)(4), 104 Stat. 3714, amended paragraph (2) to conform to rewritten sections 1407, 1408, and 1408A.

¹⁹ 7 U.S.C. 3125. The FACT Act of 1990, section 1606(a), 104 Stat. 3714, added a new section 1410A.

- (1) acquire, preserve, and manage information and information products and services in all phases of agriculture and allied sciences;
- (2) organize agricultural information and information products and services by cataloging, indexing, bibliographical listing, and other appropriate techniques;
- (3) provide agricultural information and information products and services to agencies of the Department of Agriculture and the Federal Government, public and private organizations, and individuals, within the United States and internationally;
- (4) plan for, coordinate, and evaluate information and library needs related to agricultural research and education;
- (5) cooperate with and coordinate efforts among agricultural college and university libraries, in conjunction with private industry and other agricultural library and information centers, toward the development of a comprehensive agricultiural library and information network; and
- (6) coordinate the development of specialized subject information services among the agricultural and library information communities.
- (e) LIBRARY PRODUCTS AND SERVICES .-- The Director may--
 - (1) make copies of the bibliographies prepared by the National Agricultural Library;
- (2) make microforms and other reproductions of books and other library materials in the Department;
 - (3) provide any other library and information products and services; and
- (4) sell those products and services at such prices (not less than the estimated total cost of disseminating the products and services) as the Secretary may determine appropriate.
- (f) RECEIPTS.--Funds received from sales under subsection (e) shall be deposited in the Treasury of the United States to the credit of the applicable appropriation and shall remain available until expended.

(g) AGREEMENTS.--

- (1) IN GENERAL.--The Director may enter into agreement with, and receive funds from any State, and other political subdivision, organization, business, or individual for the purpose of conducting activities to carry out this section.
- (2) FUNDS.--Funds received under this subsection for payments for library products and services or other activities shall be deposited to the miscellaneous contributed fund account, and shall remain available until expended.
- (h) AUTHORIZATION OF APPROPRIATIONS.--There are authorized to be appropriated for each fiscal year such sums as may be necessary to carry out this section.

LIBRARIES AND INFORMATION NETWORK

SEC. 1411.20 (a) It is hereby declared to be the policy of Congress that-

- (1) cooperation and coordination among, and the more effective utilization of, disparate agricultural libraries and information units be facilitated;
- (2) information and library needs related to agricultural research and education be effectively planned for, coordinated, and evaluated;
- (3) a structure for the coordination of the agricultural libraries of colleges and universities, Department of Agriculture libraries, and their closely allied information gathering and disseminating units be established in close conjunction with private industry and other research libraries;
- (4) effective access by all colleges and universities and Department of Agriculture personnel to literature and information regarding the food and agricultural sciences be provided;
- (5) programs for training in information utilization with respect to the food and agricultural sciences, including research grants for librarians, information scientists, and agricultural scientists be established or strengthened; and
- (6) the Department of Agriculture establish mutually valuable working relationships with international and foreign information and data programs.
- (b) There is hereby established within the National Agricultural Library of the Department of Agriculture a Food and Nutrition Information and Education Resources Center. Such Center shall be responsible for--
 - (1) assembling and collecting food and nutrition education materials, including the results of nutrition research, training methods, procedures, and other materials related to the purpose of this title;
 - (2) maintaining such information and materials in a library; and
 - (3)²¹ providing notification about these collections on a regular basis to the State cooperative extension services, State educational agencies, and other interested persons.
- (c) Funds are hereby authorized to be appropriated annually in such amounts as Congress may determine necessary to support the purposes of this section. The Secretary is authorized to carry out this section with existing facilities through the use of grants, contracts, or such other means as the Secretary deems appropriate and to require matching of funds. No funds appropriated to support the purposes of this section shall be used to purchase additional equipment unless specifically authorized by law subsequent to the date of enactment of this title.

²⁰ 7 U.S.C. 3126. The Amendments of 1981, section 1412, 95 Stat. 1302, added new paragraph (6).

²¹ The Amendments of 1981, section 1412, 95 Stat. 1302, rewrote subsection (3) to eliminate requirement for dissemination of publications.

SEC. 1412. SUPPORT FOR THE JOINT COUNCIL, ADVISORY BOARD, AND TECHNOLOGY BOARD.

- (a) To assist the Joint Council, the Advisory Board, and the Technology Board in the performance of their duties, the Secretary may appoint, after consultation with the cochairpersons of the Joint Council and the chairperson of the Advisory Board and the Technology Board--
 - (1) a full-time executive director who shall perform such duties as the cochairpersons of the Joint Council and the chairperson of the Advisory Board and the Technology Board may direct and who shall receive compensation at a rate not to exceed the rate payable for GS-18 of the General Schedule established in section 5332 of title 5, United States Code; and
 - (2) a professional staff of not more than five full-time employees qualified in the food and agricultural sciences, of which one shall serve as the executive secretary to the Joint Council, one shall serve as the executive secretary to the Advisory Board, and one shall serve as the executive secretary to the Technology Board.
- (b) The Secretary shall provide such additional clerical assistance and staff personnel as may be required to assist the Joint Council, the Advisory Board, and the Technology Board in carrying out their duties.
- (c) In formulating their recommendations to the Secretary, the Joint Council, the Advisory Board, and the Technology Board may obtain the assistance of Department of Agriculture employees, and, to the maximum extent practicable, the assistance of employees of other Federal departments and agencies conducting related programs of agricultural research, extension, and teaching and of appropriate representatives of colleges and universities, including State agricultural experiment stations, cooperative extension services, and other non-Federal organizations conducting significant programs in the food and agricultural sciences.

GENERAL PROVISIONS

- SEC. 1413.²³ (a) Any vacancy in the Joint Council, the Advisory Board, or the Technology Board shall not affect their powers under this title and shall be filled in the same manner as the original position.
- (b) Members of the Joint Council, the Advisory Board, and the Technology Board shall serve without compensation, if not otherwise officers or employees of the United States, except that they shall, while away from their homes or regular places of business in the performance of services under this title, be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under sections 5701 through 5707 of title 5 of the United States Code.

² 7 U.S.C. 3127. The Amendments of 1981, section 1413, 95 Stat. 1302, revised subsection (c) with respect to the staff to assist the Joint Council and the Advisory Board. The FACT Act of 1990, section 1605(b)(1), 104 Stat. 3713, revised the section to incorporate references to the Agricultural Science and Technology Review Board established by new section 1408A.

²³ 7 U.S.C. 3128. The Amendments of 1981, section 1414, 95 Stat. 1303, added new subsections (c), (d), and (e). The FACT Act of 1990, section 1605(b)(2), 104 Stat. 3713, amended subsections (a) and (b) to incorporate references to the Agricultural Science and Technology Review Board established by new section 1408A. Further amended the section by striking subsection (d) and redesignating subsection (e) as subsection (d).

- (c) There are authorized to be appropriated annually such sums as Congress may determine necessary to carry out the provisions of section 1412 of this title and subsection (b) of this section.
- (d) The President shall appoint, by and with the advice and consent of the Senate, an Assistant Secretary of Agriculture who shall perform such duties as are necessary to carry out this title and who shall receive compensation at the rate now or hereafter prescribed by law for Assistant Secretaries of Agriculture.²⁴

SUBTITLE C-AGRICULTURAL RESEARCH AND EDUCATION GRANTS AND FELLOWSHIPS

PROGRAM OF COMPETITIVE, SPECIAL, AND FACILITIES GRANTS FOR AGRICULTURAL RESEARCH

SEC. 1414. [The National Agricultural Research, Extension, and Teaching Policy Act of 1977 (Title XIV of the Food and Agricultural Act of 1977), 91 Stat. 991, included an amendment to section 2 of the Act of August 4, 1965 (79 Stat. 431, 7 U.S.C. 450i), which was further amended by the Amendments of 1981 (section 1415, 95 Stat. 1303) and the Amendments of 1985 (section 1409, 99 Stat. 1546). The FACT Act of 1990, sections 1615 and 1616, 104 Stat. 3729, extensively amended section 2. Full text appears in this Compilation.]

SEC. 1415. GRANTS TO ENHANCE RESEARCH CAPACITY IN SCHOOLS OF VETERINARY MEDICINE.

- (a) COMPETITIVE GRANT PROGRAM.--The Secretary shall conduct a program of competitive grants to States for the purpose of meeting the costs of renovation, improving compliance with Federal regulations, employing faculty, acquiring equipment, and taking other action related to the improvement of schools of veterinary medicine to ensure agricultural competitiveness on a worldwide basis. This grant program shall be based on a matching formula of 50 per centum Federal and 50 per centum State funding.
- (b) PREFERENCE.--Except with respect to the States of Alaska and Hawaii, the Secretary shall give preference in awarding grants to States which file, with their application for funds under this section, assurances satisfactory to the Secretary that--
 - (1) the State has established a veterinary medical training program with one or more States without colleges of veterinary medicine which consists of appropriate cooperative agreements providing for a sharing of curriculum and costs by the individual States;

²⁴ It should be noted that the Biomass Energy and Alcohol Fuels Act of 1980, Public Law 96-294, section 255, 94 Stat. 707, added a new section 1413A relating to biomass energy educational and technical assistance programs which the FACT Act of 1990, section 1601(f)(1)(C), 104 Stat. 3704, repealed.

²⁵ 7 U.S.C. 3151. The FACT Act of 1990, section 1607, 104 Stat. 3716, amended the section--(1) by changing the heading; (2) adding headings to each subsection; (3) striking the first sentence of subsection (a) and inserting in lieu thereof new language; (4) striking from subsection (b)(1) the words ", or has made a reasonable effort to establish,"; (5) striking the language of subsection (b)(2); and (6) in subsection (b), inserting new paragraphs (2) and (3).

- (2) the clinical training of the school to be improved shall emphasize care and preventive medical programs for food animals and companion animals (including horses) which support industries of major economic importance; and
- (3) the Secretary may set aside a portion of funds appropriated for the award of grants under this section and make such amounts available only for grants to eligible colleges and universities that the Secretary determines have unique capabilities for achieving the objective of full participation of minority groups in research in the Nation's schools of veterinary medicine.

Notwithstanding clause (1) of this subsection, no State which the Secretary determines has made a reasonable effort to establish appropriate cooperative agreements shall be denied a grant or otherwise prejudiced because of its failure to establish such cooperative agreements.

- (c) APPORTIONMENT AND DISTRIBUTION OF FUNDS.--Funds appropriated to carry out this section for any fiscal year shall be apportioned and distributed as follows:
 - (1) Five²⁶ per centum shall be retained by the Department of Agriculture for administration, program assistance to eligible States, and program coordination.
 - (2) The remainder shall be apportioned and distributed by the Secretary to those States which have applied for funds under this section on such basis as the Secretary may deem appropriate.²⁷

AMENDMENTS TO THE RESEARCH FACILITIES ACT OF 1963

SEC. 1416. [Amendments to the Act of July 22, 1963 (77 Stat. 90-92, amended, 7 U.S.C. 390, 390a-390k). That Act was further amended by the Amendments of 1981, section 1416, 95 Stat. 1304; the Amendments of 1985, section 1411, 99 Stat. 1547; and the FACT Act of 1990, section 1601(a), 104 Stat. 3703. Full text appears in this Compilation.]

²⁶ The Amendments of 1985, section 1410, 99 Stat. 1547, amended subsection (c)(1) by deleting "Four" and inserting in lieu thereof "Five".

²⁷ The Amendments of 1981, section 1417, 95 Stat. 1305, struck the proviso at the end of subsection (c)(2) requiring that not less than 50 per centum of the funds be made available to States with accredited schools of veterinary medicine.

SEC. 1417.2 GRANTS AND FELLOWSHIPS FOR FOOD AND AGRICULTURAL SCIENCES EDUCATION.

- (a) HIGHER EDUCATION TEACHING PROGRAMS.--The Secretary shall promote and strengthen higher education in the food and agricultural sciences by formulating and administering programs to enhance college and university teaching programs in agriculture, natural resources, forestry, veterinary medicine, home economics, and disciplines closely allied to the food and agricultural system.
- (b) GRANTS.--The Secretary may make competitive grants (or grants without regard to any requirement for competition) to land-grant colleges and universities, to colleges and universities having significant minority enrollments and a demonstrable capacity to carry out the teaching of food and agricultural sciences, and to other colleges and universities having a demonstrable capacity to carry out the teaching of food and agricultural sciences, for a period not to exceed 5 years--
 - (1) to strengthen institutional capacities, including curriculum, faculty, scientific instrumentation, instruction delivery systems, and student recruitment and retention, to respond to identified State, regional, national, or international educational needs in the food and agricultural sciences;
 - (2) to attract and support undergraduate and graduate students in order to educate the students in national need areas of the food and agricultural sciences;
 - (3) to facilitate cooperative initiatives between two or more eligible institutions, or between eligible institutions and units of State government or organizations in the private sector, to maximize the development and use of resources such as faculty, facilities, and equipment to improve food and agricultural sciences teaching programs;
 - (4) to design and implement innovative food and agricultural educational programs;
 - (5) to conduct undergraduate scholarship programs to meet national and international needs for training food and agricultural scientists and professionals; and
 - (6) to conduct graduate and postdoctoral fellowship programs to attract highly promising individuals to research or teaching careers in the food and agricultural sciences.

(c) ELIGIBILITY FOR GRANTS.--

(1) IN GENERAL.--To be eligible for a grant under subsection (b), a recipient institution must have a significant demonstrable commitment to higher education teaching programs in the food and agricultural sciences and to each specific subject area for which the grant is to be used.

²⁸ 7 U.S.C. 3152. The FACT Act of 1990, section 1608, 104 Stat. 3716, rewrote section 1417 in its entirety. Earlier amendments: The Amendments of 1981, section 1418(a) 95 Stat. 1305, rewrote subsection (a) in its entirety which was further amended by the Amendments of 1985, section 1412(a), 99 Stat. 1548; the Amendments of 1981, section 1418(b), 95 Stat. 1305, transferred to the Secretary of Agriculture all the functions and duties of the Secretary of Education under the Bankhead-Jones Act; the Amendments of 1981, section 1418(c), 95 Stat. 1305, 1306, amended subsection (d) to extend the authorization of annual grants for teaching in the food and agricultural sciences through the fiscal year ending September 30, 1985, which subsection was rewritten in its entirety by the Amendments of 1985, section 1412(b), 99 Stat. 1549; the Amendments of 1985, section 1412(c), 99 Stat. 1549, added a new subsection (e) to the section.

- (2) MINORITY GROUPS.--The Secretary may set aside a portion of the funds appropriated for the awarding of grants under subsection (b), and make such amounts available only for grants to eligible colleges and universities that the Secretary determines have unique capabilities for achieving the objective of full representation of minority groups in the food and agricultural sciences workforce of the United States.
- (d) EVALUATION OF TEACHING PROGRAMS.--The Secretary shall conduct programs to develop, analyze, and provide to colleges and universities data and information that are essential to the evaluation of the quality of teaching programs and to facilitate the design of more effective programs comprising the food and agricultural sciences higher education system of the United States.
- (e) CONTINUING EDUCATION.--The Secretary shall conduct special programs with colleges and universities, and with organizations in the private sector, to support educational initiatives to enable food and agricultural scientists and professionals to maintain their knowledge of changing technology, the expanding knowledge base, societal issues, and other factors that impact the skills and competencies needed to maintain the expertise base available to the agricultural system of the United States. The special programs shall include grants and technical assistance.
- (f) TRANSFERS OF FUNDS AND FUNCTIONS.--Funds authorized in section 22 of the Act of June 29, 1935 (49 Stat. 439, chapter 338; 7 U.S.C. 329) are transferred to and shall be administered by the Secretary of Agriculture. There are transferred to the Secretary all the functions and duties of the Secretary of Education under such Act applicable to the activities and programs for which funds are made available under section 22 of such Act.

(g) NATIONAL FOOD AND AGRICULTURAL SCIENCES TEACHING AWARDS.--

- (1) ESTABLISHMENT.--The Secretary shall establish a National Food and Agricultural Sciences Teaching Awards program to recognize and promote excellence in teaching food and agricultural sciences at a college or university. The Secretary shall make at least one cash award in each fiscal year to a nominee selected by the Secretary for excellence in teaching a food and agricultural science at a college or university.
- (2) FUNDING.--The Secretary may transfer funds from amounts appropriated for the conduct of any agricultural research, extension, or teaching program to an account established pursuant to this section for the purpose of making the awards. The Secretary may accept gifts in accordance with Public Law 95-441 (7 U.S.C. 2269) for the purpose of making the awards.
- (h) ADMINISTRATION.--The Federal Advisory Committee Act (5 U.S.C. App. 2) and title XVIII of the Food and Agriculture Act of 1977 (7 U.S.C. 2281 et seq.) shall not apply to a panel or board created for the purpose of reviewing applications and proposals for grants or nominations for awards submitted under this section.
- (i) AUTHORIZATION OF APPROPRIATIONS,—There are authorized to be appropriated for carrying out this section \$60,000,000 for each of the fiscal years 1990 through 1995. Of amounts appropriated to carry out this section for a fiscal year, not less than \$10,000,000 shall be used for the national needs graduate fellowship program referred to in subsection (b)(6).

NATIONAL AGRICULTURAL SCIENCE AWARD

- SEC. 1418.²⁹ (a) The Secretary shall establish the National Agricultural Science Award for research or advanced studies in the food and agricultural sciences, including the social sciences. Two such awards, one for each of the categories described in subsection (d) of this section, shall be made in each fiscal year.
- (b) The awards shall not exceed \$50,000 per year for a period of not to exceed three years to support research or study by the recipient.
- (c) The awards shall be open to persons in agricultural research, extension, teaching, or any combination thereof.
 - (d) Awards under this section shall be made in each fiscal year in two categories as follows:
 - (1) to a scientist in recognition of outstanding contributions to the advancement of the food and agricultural sciences; and
 - (2) to a research scientist in early career development or a graduate student, in recognition of demonstrated capability and promise of significant future achievement in the food and agricultural sciences.
- (e) The Secretary may establish such nominating and selection committees, to consist of scientists and others, to receive nominations and make recommendations for awards under this section, as the Secretary deems appropriate.

SEC. 1419.30 GRANTS FOR RESEARCH ON THE PRODUCTION AND MARKETING OF ALCOHOLS AND INDUSTRIAL HYDRO-CARBONS FROM AGRICULTURAL COMMODITIES AND FOREST PRODUCTS.

- (a) AUTHORITY OF SECRETARY.--The Secretary may award grants under this section to colleges, universities, and Federal laboratories for the purpose of conducting research related to--
 - (1) alcohol fuels, including ethanol and methanol or their ethers;
 - (2) industrial oilseed crops for diesel fuel and petrochemical substitutes;
 - (3) other forms of biomass fuels, including gaseous and solid fuels;

²⁹ 7 U.S.C. 3153. The Amendments of 1981, section 1420, 95 Stat. 1306, changed the title by designating the award as "Science" instead of "Research"; expanded the field of research for which the award is made to include the "social sciences"; redesignated subsections (c) and (d) as subsections (d) and (e); and added a new subsection (c) expanding the list of eligible recipients.

³⁰ 7 U.S.C. 3154. The FACT Act of 1990, section 1609, 104 Stat. 3718, rewrote this section in its entirety. Earlier amendments: Amended by the Biomass Energy and Alcohol Fuels Act of 1980, Public Law 96-294, section 252, 94 Stat. 705, by expanding paragraph (2) to include all forms of biomass energy, and adding subsection (b). The Amendments of 1981, section 1422, 95 Stat. 1306, added Federal laboratories to the group eligible for grants, extended the program for three more years, and increased the authorization for appropriations.

- (4) other industrial hydrocarbons made from agricultural commodities and forest products; and
- (5) the development of the most economical and commercially feasible means of producing, collecting, and transporting agricultural crops, wastes, residues, and byproducts for use as feedstocks for the production of alcohol and other forms of biomass energy and the development of new markets for byproducts.
- (b) SET ASIDE OF FUNDS FOR CERTAIN GRANT PROJECTS.--Of the amounts appropriated in any fiscal year pursuant to the authorization contained in subsection (d)³¹, not less than 50 percent of those amounts shall be made available for grants for research relating to the development of technologies for increasing the energy efficiency and commercial feasibility of alcohol production, including--
 - (1) processes of cellulose conversion and membrane technology,
 - (2) research to improve the quality and value of byproducts to increase digestibility and performance of livestock, poultry, and fish, and
 - (3) development of new markets for byproducts.
- (c) MINORITY GROUPS.--The Secretary may set aside a portion of funds appropriated for the award of grants under this section and make such amounts available only for grants to eligible colleges and universities that the Secretary determines have unique capabilities for achieving the objective of full participation of minority groups in research on the production and marketing of alcohols and industrial hydrocarbons from agricultural commodities and forest products.
- (d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the purposes of carrying out this section \$20,000,000 for each of the fiscal years 1991 through 1995.

PILOT PROJECTS FOR THE PRODUCTION AND MARKETING OF INDUSTRIAL HYDROCARBONS AND ALCOHOLS FROM AGRICULTURAL COMMODITIES AND FOREST PRODUCTS

SEC. 1420. [Amendments to Title V of the Rural Development Act of 1972 (86 Stat. 671-675, as amended; 7 U.S.C. 2661-2668). This Act was reauthorized and amended in its entirety by the Amendments of 1981, section 1444(b), 95 Stat. 1326, and further amended by the Amendments of 1985, section 1440, 99 Stat. 1560, and the FACT Act of 1990, sections 2389-2390, 104 Stat. 4053, 4055. Full text appears in this Compilation.]

SUBTITLE D-NATIONAL FOOD AND HUMAN NUTRITION RESEARCH AND EXTENSION PROGRAM

FINDINGS AND DECLARATIONS

SEC. 1421.³² (a) Congress hereby finds that there is increasing evidence of a relationship between diet and many of the leading causes of death in the United States: that improved nutrition is an integral component of preventive health care; that there is a serious need for research on the chronic effects of diet

³¹ In original law it reads (c); reference to subsection (c) is apparently an error in not conforming subsection references when new language was inserted in later action.

³² 7 U.S.C. 3171.

on degenerative diseases and related disorders; that nutrition and health considerations are important to United States agricultural policy; that there is insufficient knowledge concerning precise human nutritional requirements, the interaction of the various nutritional constituents of food, and differences in nutritional requirements among different population groups such as infants, children, adolescents, elderly men and women, and pregnant women; and that there is a critical need for objective data concerning food safety, the potential of food enrichment, and means to encourage better nutritional practices.

(b) It is hereby declared to be the policy of the United States that the Department of Agriculture conduct research in the fields of human nutrition and the nutritive value of foods and conduct human nutrition education activities, as provided in this subtitle.

DUTIES OF THE SECRETARY OF AGRICULTURE

- SEC. 1422.³³ In order to carry out the policy of this subtitle, the Secretary shall develop and implement a national food and human nutrition research and extension program that shall include, but not be limited to--
 - (1) research on human nutritional requirements;
 - (2) research on the nutrient composition of foods and the effects of agricultural practices, handling, food processing, and cooking on the nutrients they contain;
 - (3) surveillance of the nutritional benefits provided to participants in the food programs administered by the Department of Agriculture;
 - (4) research on the factors affecting food preference and habits; and
 - (5) the development of techniques and equipment to assist consumers in the home or in institutions in selecting food that supplies a nutritionally adequate diet.

RESEARCH BY THE DEPARTMENT OF AGRICULTURE

- SEC. 1423.34 (a) The Secretary shall establish research into food and human nutrition as a separate and distinct mission of the Department of Agriculture, and the Secretary shall increase support for such research to a level that provides resources adequate to meet the policy of this subtitle.
- (b) The Secretary, in administering the food and human nutrition research program, shall periodically consult with the administrators of the other Federal departments and agencies that have responsibility for programs dealing with human food and nutrition, as to the specific research needs of those departments and agencies.

³³ 7 U.S.C. 3172.

³⁴ 7 U.S.C. 3173.

SEC. 1424.35 FOOD SCIENCE AND NUTRITION RESEARCH CENTER.

- (a) ESTABLISHMENT OF CENTER.--The Secretary may award a grant to a research facility described in subsection (b) to establish not less than one food science and nutrition research center for the Southeast Region of the United States.
- (b) RESEARCH FACILITY DESCRIBED.--The research facility referred to in subsection (a) is a research facility that is part of a land-grant college or university system and, on October 1, 1990, benefits from a dedicated non-Federal nutrition endowment of not less than \$100,000,000.
- (c) ADMINISTRATION OF FUNDS.--The Cooperative State Research Service, in consultation with the Agricultural Research Service, shall administer funds appropriated to carry out this section--
 - (1) to assure a coordinated approach to human nutrition research; and
 - (2) to avoid duplication of research conducted at any research center established under subsection (a) with research conducted at Federal human nutrition research centers.
- (d) AUTHORIZATION OF APPROPRIATIONS.--There are authorized to be appropriated for each of the fiscal years 1991 through 1995 such sums as may be necessary to carry out this section.

NUTRITION EDUCATION PROGRAM

- SEC. 1425.36 (a) The Secretary shall establish a national education program which shall include, but not be limited to, the dissemination of the results of food and human nutrition research performed or funded by the Department of Agriculture.
- (b) In order to enable low-income individuals and families to engage in nutritionally sound food purchasing and preparation practices, the expanded food and nutrition education program conducted under section 3(d) of the Act of May 8, 1914 (7 U.S.C. 343(d)), shall provide for the employment and training of professional and paraprofessional aides to engage in direct nutrition education of low-income families and in other appropriate nutrition education programs. To the maximum extent practicable, such program aides shall be hired from the indigenous target population.
 - (c)³⁷ Beginning with the fiscal year ending September 30, 1982--
 - (1) Any funds annually appropriated under section 3(d) of the Act of May 8, 1914, for the conduct of the expanded food and nutrition education program, up to the amount appropriated under such section for such program for the fiscal year ending September 30, 1981, shall be allocated to each State in the same proportion as funds appropriated under such section for the conduct of the program for the fiscal year ending September 30, 1981, are allocated among the States; with the exception that the Secretary may retain up to 2 per centum of such amount for the conduct of such

³⁵ 7 U.S.C. 3174. The FACT Act of 1990, section 1610(a), 104 Stat. 3719, inserted a new section 1424. The Amendments of 1985, section 1413, 99 Stat. 1549, repealed the language of the original section 1424 requiring a study on establishing regional food and human nutrition research centers in the U.S.

^{36 7} U.S.C. 3175.

³⁷ The Amendments of 1981, section 1423, 95 Stat. 1307, rewrote subsection (b) to delete the allocation formula and added a new subsection (c) which contains the new allocation of funds formula.

program in States that did not participate in such program in the fiscal year ending September 30, 1981.

- (2) Any funds appropriated annually under section 3(d) of the Act of May 8, 1914, for the conduct of the expanded food and nutrition education program in excess of the amount appropriated under such section for the conduct of the program for the fiscal year ending September 30, 1981, shall be allocated as follows:
 - (A) 4 per centum shall be available to the Secretary for administrative, technical, and other services necessary for the administration of the program.
 - (B) The remainder shall be allocated among the States as follows:
 - (i) 10 per centum shall be distributed equally among all States; and
 - (ii) the remainder shall be allocated to each State in an amount which bears the same ratio to the total amount to be allocated under this subparagraph as the population of the State living at or below 125 per centum of the income poverty guidelines prescribed by the Office of Management and Budget (adjusted pursuant to section 673(2) of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 9902)), bears to the total population of all the States living at or below 125 per centum of the income poverty guidelines, as determined by the last preceding decennial census at the time each such additional amount is first appropriated. The provisions of this subparagraph shall not preclude the Secretary from developing educational materials and programs for persons in income ranges above the level designated in this subparagraph.
- (3)³⁸ There is authorized to be appropriated to carry out the expanded food and nutrition education program established under section 3(d) of the Act of May 8, 1914 (38 Stat. 373, chapter 79; 7 U.S.C. 343(d)) and this section \$63,000,000 for fiscal year 1991, \$68,000,000 for fiscal year 1992, \$73,000,000 for fiscal year 1993, \$78,000,000 for fiscal year 1994, and \$83,000,000 for fiscal year 1995.

NUTRITION EDUCATION MATERIALS

SEC. 1426.39 Repealed.

HUMAN NUTRITION RESEARCH AND INFORMATION MANAGEMENT SYSTEM

SEC. 1427.40 Repealed.

³⁸ The FACT Act of 1990, section 1776(b), 104 Stat. 3814, added a new paragraph (3) to subsection (c) authorizing specific levels of funding for fiscal years 1991 through 1995.

³⁹ 7 U.S.C. 3176. This section related to the development and distribution of nutrition education materials. It was repealed by the Amendments of 1981, section 1424, 95 Stat. 1308.

⁴⁰ 7 U.S.C. 3177. This section related to the submission of a comprehensive plan for implementing a national food and human nutrition research and extension program. The Amendments of 1981, section 1425, 95 Stat. 1308, revised the section to provide for the formulation of a plan for a human nutrition research

NUTRITIONAL STATUS MONITORING

- SEC. 1428.41 (a) The Secretary and the Secretary of Health, Education, and Welfare shall formulate and submit to Congress, within ninety days after the date of enactment of this title, a proposal for a comprehensive nutritional status monitoring system, to include:
 - (1) an assessment system consisting of periodic surveys and continuous monitoring to determine: the extent of risk of nutrition-related health problems in the United States; which population groups or areas of the country face greatest risk; and the likely causes of risk and changes in the above risk factors over time;
 - (2) a surveillance system to identify remediable nutrition-related health risks to individuals or for local areas, in such a manner as to tie detection to direct intervention and treatment. Such system should draw on screening and other information from other health programs, including those funded under titles V, XVIII, and XIX of the Social Security Act and section 330 of the Public Health Service Act; and
 - (3) program evaluations to determine the adequacy, efficiency, effectiveness, and side effects of nutrition-related programs in reducing health risks to individuals and populations.
- (b) The proposal shall provide for coordination of activities under existing authorities and contain recommendations for any additional authorities necessary to achieve a comprehensive monitoring system.

SUBTITLE E-ANIMAL HEALTH AND DISEASE RESEARCH

PURPOSE

SEC. 1429.⁴² It is the purpose of this subtitle to promote the general welfare through the improved health and productivity of domestic livestock, poultry, aquatic animals, and other income-producing animals which are essential to the Nation's food supply and the welfare of producers and consumers of animal products; to improve the health of horses; to facilitate the effective treatment of, and, where possible, prevent animal and poultry diseases in both domesticated and wild animals which, if not controlled, would be disastrous to the United States livestock and poultry industries and endanger the Nation's food supply; to minimize livestock and poultry losses due to transportation and handling; to protect human health through control of animal diseases transmissible to humans; to improve methods of controlling the births of predators and other animals; and otherwise to promote the general welfare through expanded programs of research and extension to improve animal health. It is recognized that the total animal health and disease research and extension efforts of the several State colleges and universities and of the Federal Government would be more effective if there were close coordination between such programs, and it is further recognized that colleges and universities having accredited schools or colleges of veterinary medicine and State agricultural experiment stations that conduct animal health and disease research are especially vital in training research workers in animal health.

management system. The Amendments of 1985, section 1413, 99 Stat. 1549, repealed the section.

⁴¹ 7 U.S.C. 3178.

⁴² 7 U.S.C. 3191. The Amendments of 1981, section 1426, 95 Stat. 1309, revised and clarified the last sentence of this section.

DEFINITIONS

SEC. 1430.43 When used in this subtitle-

- (1) the term "eligible institution" means an accredited school or college of veterinary medicine or a State agricultural experiment station that conducts animal health and disease research;
 - (2) the term "dean" means the dean of an accredited school or college of veterinary medicine;
- (3) the term "director" means the director of a State agricultural experiment station which qualifies as an eligible institution;
 - (4) the term "Board" means the Animal Health Science Research Advisory Board; and
- (5) the term "animal health research capacity" means the capacity of an eligible institution to conduct animal health and disease research, as determined by the Secretary.

SEC. 1431.4 AUTHORIZATION TO THE SECRETARY OF AGRICULTURE.

- (a) AUTHORITY TO COOPERATE WITH, ENCOURAGE, AND ASSIST STATES.--In order to carry out the purpose of this subtitle, the Secretary is hereby authorized to cooperate with, encourage, and assist the States in carrying out programs of animal health and disease research at eligible institutions in the manner hereinafter described in this subtitle.
- (b) STUDY OF ANIMAL CARE DELIVERY SYSTEM.--(1) The Secretary shall commission the National Academy of Sciences, working through the Board on Agriculture of the National Research Council, to conduct a study of the delivery system utilized to provide farmers, including small and limited resource farmers, and ranchers with animal care and veterinary medical services, including animal drugs.
 - (2) The study required by this subsection shall assess opportunities to-
 - (A) improve the flow of information to producers regarding animal husbandry practices, and diagnostic and treatment methods, including the costs and conditions necessary for the effective use of such practices and methods;
 - (B) foster achievement of food safety goals; and
 - (C) advance the well-being and treatment of farm animals, with particular emphasis on disease prevention strategies.
- (3) The study required by this subsection shall include recommendations for changes in research and extension policies or priorities, food safety programs and policies, and policies and procedures governing the approval, use, and monitoring of animal drugs.

⁴³ 7 U.S.C. 3191. The Amendments of 1981, section 1427, 95 Stat. 1309, redefined the terms "eligible institution" in subsection (1) and "dean" in subsection (2).

⁴⁴ 7 U.S.C. 3192. The FACT Act of 1990, section 1611(a), 104 Stat. 3720, amended the section by adding "(a)" and a heading and by adding a new subsection (b) relating to a study of the animal care delivery system.

SEC. 1432. ANIMAL HEALTH SCIENCE RESEARCH ADVISORY BOARD.

- (a) ESTABLISHMENT AND MEMBERSHIP.--The Secretary shall establish a board to be known as the Animal Health Science Research Advisory Board which shall have a term that expires September 30, 1995, and which shall be composed of the following 12 members--
 - (1) a representative of the Agricultural Research Service of the Department of Agriculture,
 - (2) a representative of the Cooperative State Research Service of the Department of Agriculture,
 - (3) a representative of the Animal and Plant Health Inspection Service of the Department of Agriculture,
 - (4) a representative of the Center for Veterinary Medicine of the Food and Drug Administration of the Department of Health, Education, and Welfare, and
 - (5) eight members appointed by the Secretary--
 - (A) two persons representing accredited colleges of veterinary medicine,
 - (B) two persons representing State agricultural experiment stations,
 - (C) one person representing an organization concerned with the general protection and well-being of animals, and
 - (D) three persons representing national livestock and poultry organizations.

The members shall serve without compensation, if not otherwise officers or employees of the United States, except that they shall, while away from their homes or regular places of business in the performance of services for the Board, be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under sections 5701 through 5707 of title 5 of the United States Code.

(b) DUTIES.--The Board shall meet at the call of the Secretary, but at least once annually, to consult with and advise the Secretary with respect to the implementation of any animal health and disease research program provided for under this title, under such rules and procedures for conducting business as the Secretary may prescribe.

⁴⁵ 7 U.S.C. 3194. The Amendments of 1981, section 1428, 95 Stat. 1309, changed the term of the Advisory Board from five years to a fixed expiration date. The Amendments of 1985, section 1414(a), 99 Stat. 1549, deleted "1985" and inserted "1990". The FACT Act of 1990, section 1611(b), 104 Stat. 3721, added a heading to subsection (a); deleted "1990" and inserted "1995"; expanded the Board's membership from ll to 12 to include a representative concerned with the protection and well-being of animals; in paragraph (4) struck "Bureau of" and inserted "Center for" before Veterinary Medicine; struck subsection (b) and inserted a new subsection (b). It should be noted that there has been no amendment to correct the name of the Department of Health, Education, and Welfare.

APPROPRIATIONS FOR CONTINUING ANIMAL HEALTH AND DISEASE RESEARCH PROGRAMS

- SEC. 1433.46 (a) There are authorized to be appropriated such funds as Congress may determine necessary to support continuing animal health and disease research programs at eligible institutions, but not to exceed \$25,000,000 for each of the fiscal years 1991 through 1995, and not in excess of such sums as may after the date of enactment of this title be authorized by law for any subsequent fiscal year. Funds appropriated under this section shall be used: (1) to meet expenses of conducting animal health and disease research, publishing and disseminating the results of such research, and contributing to the retirement of employees subject to the provisions of the Act of March 4, 1940 (54 Stat. 39-40, as amended; 7 U.S.C. 331); (2) for administrative planning and direction; and (3) to purchase equipment and supplies necessary for conducting such research.
- (b) Funds appropriated under subsection (a) of this section for any fiscal year shall be apportioned as follows:
 - (1) Four per centum shall be retained by the Department of Agriculture for administration, program assistance to the eligible institutions and program coordination.
 - (2) Forty-eight per centum shall be distributed among the several States in the proportion that the value of an income to producers from domestic livestock and poultry in each State bears to the total value of and income to producers from domestic livestock and poultry in all the States. The Secretary shall determine the total value of and income from domestic livestock and poultry in all the States and the proportionate value of and income from domestic livestock and poultry for each State, based on the most current inventory of all cattle, sheep, swine, horses, and poultry published by the Department of Agriculture.
 - (3) Forty-eight per centum shall be distributed among the several States in the proportion that the animal health research capacity of the eligible institutions in each State bears to the total animal health research capacity in all the States. The Secretary shall determine the animal health research capacity of the eligible institutions with the advice, when available, of the Board.
- (c) In each State with one or more accredited colleges of veterinary medicine, the deans of the accredited college or colleges and the director of the State agricultural experiment station shall develop a comprehensive animal health and disease research program for the State based on the animal health research capacity of each eligible institution in the State, which shall be submitted to the Secretary for approval and shall be used for the allocation of funds available to the State under this section.
- (d) When the amount available under this section for allotment to any State on the basis of domestic livestock and poultry values and income exceeds the amount for which the eligible institution or institutions in the State are eligible on the basis of animal health research capacity, the excess may be used, at the discretion of the Secretary, for remodeling of facilities, construction of new facilities, or increase in staffing, proportionate to the need for added research capacity.
- (e) Whenever a new college of veterinary medicine is established in a State and is accredited, the Secretary, after consultation with the dean of such college and the director of the State agricultural

⁴⁶ 7 U.S.C. 3195. The Amendments of 1981, section 1429, 95 Stat. 1309, reworded the first sentence from a permanent authorization for appropriations to one with a fixed termination date. The Amendments of 1985, section 1414(b), 99 Stat. 1549, further reworded the first sentence to extend authorization to 1990. The FACT Act of 1990, section 1601(b)(1), 104 Stat. 3703, extended the authorization for fiscal years 1991 through 1995.

experiment station and, where applicable, deans of other accredited colleges in the State, shall provide for the reallocation of funds available to the State pursuant to subsection (b) of this section between the new college and other eligible institutions in the State, based on the animal health research capacity of each eligible institution.

(f) Whenever two or more States jointly establish an accredited regional college of veterinary medicine or jointly support an accredited college of veterinary medicine serving the States involved the Secretary is authorized to make funds which are available to such States pursuant to subsection (b)(2) of this section available for such college in such amount that reflects the combined relative value of and income from domestic livestock and poultry in the cooperating States, such amount to be adjusted, as necessary, pursuant to the provisions of subsections (c) and (e) of this section.

APPROPRIATIONS FOR RESEARCH ON NATIONAL OR REGIONAL PROBLEMS

- SEC. 1434.⁴⁷ (a) There are authorized to be appropriated such funds as Congress may determine necessary to support research on specific national or regional animal health or disease problems, but not to exceed \$35,000,000 for each of the fiscal years 1991 through 1995, and not in excess of such sums as may after the date of enactment of this title be authorized by law for any subsequent fiscal year.
- (b)⁴⁸ Notwithstanding the provisions of section 1435 of this title, funds appropriated under this section shall be awarded in the form of grants, for periods not to exceed five years, to eligible institutions.
- (c)⁴⁹ In order to establish a rational allocation of funds appropriated under this section, the Secretary shall establish annually priority lists of animal health and disease problems of national or regional significance. Such lists shall be prepared after consultation with the Joint Council, the Advisory Board, and the Board. Any recommendations made in connection with such consultation shall not be controlling on the Secretary's determination of priorities. In establishing such priorities, the Secretary, the Joint Council, the Advisory Board, and the Board shall consider the following factors;
 - (1) any health or disease problem which causes or may cause significent economic losses to any part of the livestock production industry;
 - (2) whether current scientific knowledge necessary to prevent, cure, or abate such a health or disease problem is adequate; and
 - (3) whether the status of scientific research is such that accomplishments may be anticipated through the application of scientific effort to such health or disease problem.
- (d)⁴⁹ Without regard to any consultation under subsection (c), the Secretary shall, to the extent feasible, award grants to eligible institutions on the basis of the priorities assigned through a peer review

⁴⁷ 7 U.S.C. 3196. The Amendments of 1981, section 1430(a), 95 Stat. 1309, increased the authorization [of funds] for appropriation of research funds and extended the authorization three years. The Amendments of 1985, section 1414(c), 99 Stat. 1549, further extended the authorization to 1990. The FACT Act of 1990, section 1601(b)(2), 104 Stat. 3703, further extended authorization for fiscal years 1991 through 1995.

⁴⁸ The Amendments of 1981, section 1430(b), 95 Stat. 1310, revised the fund allocation system to grants for periods not to exceed five years.

⁴⁹ The Amendments of 1981, section 1430(c), 95 Stat. 1310, added new subsections (c), (d), and (e).

system. Grantees shall be selected on a competitive basis in accordance with such procedures as the Secretary may establish.

(e)⁴⁹ In the case of multiyear grants, the Secretary shall distribute funds to grant recipients on a schedule which is reasonably related to the timetable required for the orderly conduct of the research project involved.

AVAILABILITY OF APPROPRIATED FUNDS

SEC. 1435.50 Funds available for allocation under the terms of this subtitle shall be paid to each State or eligible institution at such times and in such amounts as shall be determined by the Secretary. Funds shall remain available for payment of unliquidated obligations for one additional fiscal year following the year of appropriation.

WITHHOLDING OF APPROPRIATED FUNDS

SEC. 1436.⁵¹ If the Secretary determines that a State is not entitled to receive its allocation of the annual appropriation under section 1433 of this title because of its failure to satisfy requirements of this subtitle or regulations issued under it, the Secretary shall withhold such amount. The facts and reasons concerning the determination and withholding shall be reported to the President; and the amount involved shall be kept separate in the Treasury until the close of the next Congress. If the next Congress does not direct such sum to be paid, it shall be carried to surplus.

REQUIREMENTS FOR USE OF FUNDS

SEC. 1437.⁵² With respect to research projects on problems of animal health and disease to be performed at eligible institutions and supported with funds allocated to the States under section 1433 of this title, the dean or director of each eligible institution shall cause to be prepared and shall review proposals for such research projects, which contain data showing compliance with the purpose in section 1429 of this title and the provisions for use of funds specified in section 1433(a) of this title, and with general guidelines for project eligibility to be provided by the Secretary with the advice, when available, of the Board. Such research proposals that are approved by the dean or director shall be submitted to the Secretary prior to assignment of funds thereto with a brief summary showing compliance with the provisions of this subtitle and the Secretary's general guidelines.

MATCHING FUNDS

SEC. 1438.⁵³ No funds in excess of \$100,000, exclusive of the funds provided for research on specific national or regional animal health and disease problems under the provisions of section 1434 of this title, shall be paid by the Federal Government to any State under this subtitle during any fiscal year in excess of the amount from non-Federal sources made available to and budgeted for expenditure by eligible institutions in the State during the same fiscal year for animal health and disease research. The Secretary is authorized to make such payments in excess of \$100,000 on the certificate of the appropriate official of the eligible

^{50 7} U.S.C. 3197.

⁵¹ 7 U.S.C. 3198.

^{52 7} U.S.C. 3199.

⁵³ 7 U.S.C. 3200.

institution having charge of the animal health and disease research for which such payments are to be made. If any eligible institution certified for receipt of matching funds fails to make available and budget for expenditure for animal health and disease research in any fiscal year sums at least equal to the amount for which it is certified, the difference between the Federal matching funds available and the funds made available to and budgeted for expenditure by the eligible institution shall be reapportioned by the Secretary among other eligible institutions of the same State, if there are any which qualify therefor, and, if there are none, the Secretary shall reapportion such difference among the other States.

ALLOCATIONS UNDER THIS SUBTITLE NOT SUBSTITUTIONS

SEC. 1439.⁵⁴ The sums appropriated and allocated to States and eligible institutions under this subtitle shall be in addition to, and not in substitution for, sums appropriated or otherwise made available to such States and institutions pursuant to other provisions of law.

SUBTITLE F-SMALL FARM RESEARCH AND EXTENSION

SMALL FARM RESEARCH AND EXTENSION PROGRAMS

SEC. 1440. [Amendments to section 502 of the Rural Development Act of 1972, as amended. Full text appears in this Compilation.]

PROGRAM MONEYS

SEC. 1441. [Amendments to section 503 of the Rural Development Act of 1972, as amended. Full text appears in this Compilation.]

DEFINITION OF SMALL FARMER

SEC. 1442. [Amendments to section 507 of the Rural Development Act of 1972, as amended. Full text appears in this Compilation.]

REPORTS

SEC. 1443. [Full text of Title V of the Rural Development Act of 1972, as amended, appears in this Compilation.]

SUBTITLE G-1890 LAND-GRANT COLLEGE FUNDING

EXTENSION AT 1890 LAND-GRANT COLLEGES, INCLUDING TUSKEGEE INSTITUTE

SEC. 1444.⁵⁵ (a) There are hereby authorized to be appropriated annually such sums as Congress may determine necessary to support continuing agricultural and forestry extension at colleges eligible to receive funds under the Act of August 30, 1890 (26 Stat. 417-419, as amended; 7 U.S.C. 321-326 and 328), including Tuskegee Institute (hereinafter in this section referred to as "eligible institutions"). Beginning with

^{54 7} U.S.C. 3201.

⁵⁵ 7 U.S.C. 3221. The Amendments of 1981, section 1431(1), 95 Stat. 1310, changed a permanent appropriation requirement in the second sentence to one that terminates with the fiscal year ending September 30, 1981, and provided a new appropriation formula terminating September 30, 1985.

the fiscal year ending September 30, 1979, and ending with the fiscal year ending September 30, 1981, there shall be appropriated under this section for each fiscal year an amount not less than 4 per centum of the total appropriations for such year under the Act of May 8, 1914 (38 Stat. 372-374, as amended; 7 U.S.C. 341-349): *Provided*, That the amount appropriated for the fiscal year ending September 30, 1979, shall not be less than the amount made available for the fiscal year ending September 30, 1978, to such eligible institutions under section 3(d) of the Act of May 8, 1914 (38 Stat. 373, as amended; 7 U.S.C. 343(d)). ⁵⁶Beginning with the fiscal year ending September 30, 1982, there shall be appropriated under this section an amount not less than 5 1/2 per centum, and for each fiscal year thereafter an amount not less than 6 per centum of the total appropriations for such year under the Act of May 8, 1914 (7 U.S.C. 341 et seq.), and related acts pertaining to cooperative extension work at the land-grant institutions identified in the Act of May 8, 1914 (38 Stat. 372, chapter 79; 7 U.S.C. 341 et seq.). Funds appropriated under this section shall be used for expenses of conducting extension programs and activities and for contributing to the retirement of employees subject to the provisions of the Act of March 4, 1940 (54 Stat. 39-40, as amended; 7 U.S.C. 331). No more than 20 per centum of the funds received by an institution in any fiscal year may be carried forward to the succeeding fiscal year.

- (b) Beginning with the fiscal year ending September 30, 1979--
- (1) any funds annually appropriated under this section up to the amount appropriated for the fiscal year ending September 30, 1978, pursuant to section 3(d) of the Act of May 8, 1914, as amended, for eligible institutions, shall be allocated among the eligible institutions in the same proportion as funds appropriated under section 3(d) of the Act of May 8, 1914, as amended, for the fiscal year ending September 30, 1978, are allocated among the eligible institutions; and
- (2) any funds appropriated annually under this section in excess of an amount equal to the amount appropriated under section 3(d) of the Act of May 8, 1914, for the fiscal year ending September 30, 1978, for eligible institutions, shall be distributed as follows:
 - (A) A sum equal to 4 per centum of the total amount appropriated each fiscal year under this section shall be allotted to the Extension Service of the Department of Agriculture for administrative, technical, and other services, and for coordinating the extension work of the Department of Agriculture and the several States.
 - (B)⁵⁷ Of the remainder, 20 per centum shall be allotted among the eligible institutions in equal proportions; 40 per centum shall be allotted among the eligible institutions in the proportion that the rural population of the State in which each eligible institution is located bears to the total rural population of all the States in which eligible institutions are located, as determined by the last preceding decennial census current at the time each such additional sum is first appropriated; and the balance shall be allotted among the eligible institutions in the proportion that the farm population of the State in which each eligible institution is located bears to the total farm population of all the States in which the eligible institutions

The Amendments of 1981, section 1431(a), 95 Stat. 1310, added a new third sentence. The Amendments of 1985, section 1415, 99 Stat. 1549, amended the third sentence by striking the words ", through the fiscal year ending September 30, 1985," and adding before the period the words ", and related acts pertaining to cooperative extension work at the land-grant institutions identified in the Act of May 8, 1913 (38 Stat. 372, chapter 79; 7 U.S.C. 341 et seq.)".

⁵⁷ The Amendments of 1981, section 1431(3), 95 Stat. 1311, in clause (B) added the term "current at the time each such additional sum is first appropriated".

are located, as determined by the last preceding decennial census current at the time each such additional sum is first appropriated.

In computing the distribution of funds allocated under paragraph (2) of this subsection, the allotments to Tuskegee Institute and Alabama Agricultural and Mechanical University shall be determined as if each institution were in a separate State.

- (c)⁵⁸ The State director of the cooperative extension service and the extension administator at the eligible institution in each State where an eligible institution is located shall jointly develop, by mutual agreement, a comprehensive program of extension for such State to be submitted for approval by the Secretary within one year after the date of enactment of this title and each five years thereafter.
- (d)⁵⁹ On or about the first day of October in each year after enactment of this title, the Secretary shall ascertain whether each eligible institution is entitled to receive its share of the annual appropriation for extension work under this section and the amount which it is entitled to receive. Before the funds herein provided shall become available to any eligible institution for any fiscal year, plans for the work to be carried out under this section shall be submitted, as part of the State plan of work, and approved by the Secretary. Such sums shall be paid in equal quarterly payments on or about October 1, January 1, April 1, and July 1 of each year to the treasurer or other officer of the eligible institution duly authorized to receive such payments and such officer shall be required to report to the Secretary on or about the first day of December of each year a detailed statement of the amount so received during the previous fiscal year and its disbursement, on forms prescribed by the Secretary.
- (e) If any portion of the moneys received by any eligible institution for the support and maintenance of extension work as provided in this section shall by any action or contingency be diminished or lost or be misapplied, it shall be replaced by such institution and until so replaced no subsequent appropriation shall be apportioned or paid to such institution. No portion of such moneys shall be applied, directly or indirectly, to the purchase, erection, preservation, or repair of any building or buildings, or the purchase or rental of land, or in college course teaching, lectures in college, or any other purpose not specified in this section. It shall be the duty of such institution, annually, on or about the first day of January, to make to the Governor of the State in which it is located a full and detailed report of its operations in extension work, including a detailed statement of receipts and expenditures from all sources for this purpose, a copy of which report shall be sent to the Secretary.
- (f) If the Secretary finds that an eligible institution is not entitled to receive its share of the annual appropriation, the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the expiration of the next Congress in order that the institution may, if it should so desire, appeal to Congress from the determination of the Secretary. If the next Congress does not direct such sum to be paid, it shall be carried to surplus.
- (g) To the extent that the official mail consists of correspondence, bulletins, and reports for furtherance of the purposes of this section, it shall be transmitted in the mails of the United States under penalty indicia: *Provided*, That each item shall bear such indicia as are prescribed by the Postmaster General

⁵⁸ The Amendments of 1981, section 1431(4), 95 Stat. 1311, changed the reference from "administrative head for extension" to "extension administrator"; also, added a requirement that a State comprehensive program of extension be submitted every five years.

⁵⁹ The Amendments of 1981, section 1431(5), 95 Stat. 1311, struck out "submitted by the proper officials of each institution" and inserted in lieu thereof "submitted, as part of the State plan of work,".

and shall be mailed under such regulations as the Postmaster General may from time to time prescribe. Such items may be mailed from a principal place of business of each eligible institution or from an established subunit of such institution.

AGRICULTURAL RESEARCH AT 1890 LAND-GRANT COLLEGES, INCLUDING TUSKEGEE INSTITUTE

SEC. 1445.60 (a) There are hereby authorized to be appropriated annually such sums as Congress may determine necessary to support continuing agricultural research at colleges eligible to receive funds under the Act of August 30, 1890 (26 Stat. 417-419, as amended; 7 U.S.C. 321-326, and 328), including Tuskegee Institute (hereinafter referred to in this section as "eligible institutions"). Beginning with the fiscal year ending September 30, 1979, there shall be appropriated under this section for each fiscal year an amount not less than 15 per centum of the total appropriations for such year under section 3 of the Act of March 2, 1887 (24 Stat. 441, as amended; 7 U.S.C. 361c): Provided, That the amount appropriated for the fiscal year ending September 30, 1979, shall not be less than the amount made available in the fiscal year ending September 30, 1978, to such eligible institutions under the Act of August 4, 1965 (79 Stat. 431, 7 U.S.C. 450i). Funds appropriated under this section shall be used for expenses of conducting agricultural research, printing, disseminating the results of such research, contributing to the retirement of employees subject to the provisions of the Act of March 4, 1940 (54 Stat. 39-40, as amended; 7 U.S.C. 331), administrative planning and direction, and purchase and rental of land and the construction, acquisition, alteration, or repair of buildings necessary for conducting agricultural research. The eligible institutions are authorized to plan and conduct agricultural research in cooperation with each other and such agencies, institutions, and individuals as may contribute to the solution of agricultural problems, and moneys appropriated pursuant to this section shall be available for paying the necessary expenses of planning, coordinating, and conducting such cooperative research. No more than 5 percent of the funds received by an institution in any fiscal year, under this section, may be carried forward to the succeeding fiscal year.

- (b)⁶¹ Beginning with the fiscal year ending September 30, 1979, the funds appropriated in each fiscal year under this section shall be distributed as follows:
 - (1)⁶² Three per centum shall be available to the Secretary for administration of this section. These administrative funds may be used for transportation of scientists who are not officers or employees of the United States to research meetings convened for the purpose of assessing research opportunities or research planning.
 - (2) The remainder shall be allocated among the eligible institutions as follows:
 - (A) Funds up to the total amount made available to all eligible institutions in the fiscal year ending September 30, 1978, under section 2 of the Act of August 4, 1965 (79 Stat. 431; 7 U.S.C. 450i), shall be allocated among the eligible institutions in the same proportion as funds made available under section 2 of the Act of August 4, 1965, for the fiscal year ending September 30, 1978, are allocated among the eligible institutions.

⁶⁰ 7 U.S.C. 3222. The Amendments of 1985, section 1417(a), 99 Stat. 1550, added a new sentence at the end of subsection (a).

⁶¹ Amended by the Act of October 28, 1978, Public Law 95-547, 92 Stat. 2063, to modify the formula for distribution of funds authorized for agricultural research.

⁶² The Amendments of 1981, section 1432(a)(1), 95 Stat. 1311, added the second sentence.

- (B) Of funds in excess of the amount allocated under subparagraph (A) of this paragraph, 20 per centum shall be allotted among eligible institutions in equal proportions; 40 per centum shall be allotted among the eligible institutions in the proportion that the rural population of the State in which each eligible institution is located bears to the total rural population of all the States in which eligible institutions are located, as determined by the last preceding decennial census current at the time each such additional sum is first appropriated; and the balance shall be allotted among the eligible institutions in the proportion that the farm population of the State in which each eligible institution is located bears to the total farm population of all the States in which the eligible institutions are located, as determined by the last preceding decennial census current at the time each such additional sum is first appropriated. In computing the distribution of funds allocated under this subparagraph, the allotments to Tuskegee Institute and Alabama Agricultural and Mechanical University shall be determined as if each institution were in a separate State.
- (c)⁶⁴ The director of the State agricultural experiment station in each State where an eligible institution is located and the research director specified in subsection (d) of this section in each of the eligible institutions in such State shall jointly develop, by mutual agreement, a comprehensive program of agricultural research in such State, to be submitted for approval by the Secretary within one year after the date of enactment of this title.
- (d) Sums available for allotment to the eligible institutions under the terms of this section shall be paid to such institutions in equal quarterly payments beginning on or about the first day of October of each year upon vouchers approved by the Secretary. The President of each eligible institution shall appoint a research director who shall be responsible for administration of the program authorized herein. Each eligible institution shall designate a treasurer or other officer who shall receive and account for all funds allotted to such institution under the provisions of this section and shall report, with the approval of the research director, to the Secretary on or before the first day of December of each year a detailed statement of the amount received under the provisions of this section during the preceding fiscal year and its disbursement on schedules prescribed by the Secretary. If any portion of the allotted moneys received by any eligible institution shall by any action or contingency be diminished, lost, or misapplied, it shall be replaced by such institution and until so replaced no subsequent appropriation shall be allotted or paid to such institution. Funds made available to eligible institutions shall not be used for payment of negotiated overhead or indirect cost rates.
- (e) Bulletins, reports, periodicals, reprints or articles, and other publications necessary for the dissemination of results of the research and experiments funded under this section, including lists of publications available for distribution by the eligible institutions, shall be transmitted in the mails of the United States under penalty indicia: *Provided*, That each publication shall bear such indicia as are prescribed by the Postmaster General and shall be mailed under such regulations as the Postmaster General may from time to time prescribe. Such publications may be mailed from the principal place of business of each eligible institution or from an established subunit of such institution.
- (f) The Secretary shall be responsible for the proper administration of this section, and is authorized and directed to prescribe such rules and regulations as may be necessary to carry out its provisions. It shall

The Amendments of 1981, section 1432(a)(2), 95 Stat. 1311, inserted the term "current at the time the increase is appropriated" after "decennial census".

⁶⁴ The Amendments of 1981, section 1432(a)(3), 95 Stat. 1311, changed the reference from "chief administrative officer" to "research director".

be the duty of the Secretary to furnish such advice and assistance as will best promote the purposes of this section, including participation in coordination of research initiated under this section by the eligible institutions, from time to time to indicate such lines of inquiry as to the Secretary seem most important, and to encourage and assist in the establishment and maintenance of cooperation by and between the several eligible institutions, the State agricultural experiment stations, and between them and the Department of Agriculture.

- (g)(1) On or before the first day of October in each year after the enactment of this title, the Secretary shall ascertain whether each eligible institution is entitled to receive its share of the annual appropriations under this section and the amount which thereupon each is entitled, respectively, to receive.
- (2) If it appears to the Secretary from the annual statement of receipts and expenditures of funds by any eligible institution that an amount in excess of 5 percent of the preceding annual appropriation allotted to that institution under this section remains unexpended, such amount in excess of 5 percent of the preceding annual appropriation allotted to that institution shall be deducted from the next succeeding annual allotment to the institution.
- (3) If the Secretary withholds from any eligible institution any portion of the appropriations available for allotment, the facts and reasons therefor shall be reported to the President and the amount involved shall be kept separate in the Treasury until the close of the next Congress. If the next Congress does not direct such sum to be paid, it shall be carried to surplus.
- (4) The Secretary shall make an annual report to Congress during the first regular session of each year of the receipts and expenditures and work of the eligible institutions under the provisions of this section and also whether any portion of the appropriation available for allotment to any institution has been withheld and if so the reasons therefor.
- (h) Nothing in this section shall be construed to impair or modify the legal relationship existing between any of the eligible institutions and the government of the States in which they are respectively located.

SEC. 1446. RESIDENT INSTRUCTION AT 1890 LAND-GRANT COLLEGES, INCLUDING TUSKEGEE UNIVERSITY.

(a) PURPOSE.--It is the purpose of this section to promote and strengthen higher education in the food and agricultural sciences at colleges eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321 et seq.), including Tuskegee University (hereinafter in this section referred to as "eligible institutions") by formulating and administering programs to enhance teaching programs in agriculture, natural resources, forestry, veterinary medicine, home economics, and disciplines closely allied to the food and agriculture production and delivery system.

⁶⁵ The Amendments of 1985, section 1417(b), 99 Stat. 1550, amended paragraph (2) in its entirety to provide a 5 percent cap on unexpended funds to be deducted from succeeding allotments.

⁶⁶ 7 U.S.C. 3222a. The FACT Act of 1990, section 1612(a), 104 Stat. 3721, inserted new language for section 1446. [Original section 1446, 7 U.S.C. 427; 42 U.S.C. 5901.] The FACT Act of 1990, section 1601(f)(1)(D), 104 Stat. 3704, repealed in its entirety Subtitle H, Solar Energy Research and Development, which subtitle encompassed sections 1446 through 1457.

- (b) GRANTS.--The Secretary shall make competitive grants, or grants without regard to any requirement for competition, to those eligible institutions having a demonstrable capacity to carry out the teaching of food and agricultural sciences.
 - (c) USE OF GRANT FUNDS .-- Grants made under subsection (b) shall be used to--
 - (1) strengthen institutional educational capacities, including libraries, curriculum, faculty, scientific instrumentation, instruction delivery systems, and student recruitment and retention, in order to respond to identified State, regional, national or international educational needs in the food and agricultural sciences;
 - (2) attract and support undergraduate and graduate students in order to educate them in identified areas of national need in the food and agricultural sciences;
 - (3) facilitate cooperative initiatives between two or more eligible institutions or between eligible institutions and units of State government, or organizations in the private sector, to maximize the development and use of resources such as faculty, facilities, and equipment to improve food and agricultural sciences teaching programs; and
 - (4) conduct undergraduate scholarship programs to assist in meeting national needs for training food and agricultural scientists.
- (d) GRANT REQUIREMENTS.--(1) The Secretary shall ensure that each eligible institution, prior to receiving grant funds under subsection (b), shall have a significant demonstrable commitment to higher education programs in the food and agricultural sciences and to each specific subject area for which grant funds under this subsection are to be used.
- (2) The Secretary may require that any grant awarded under this section contain provisions that require funds to be targeted to meet the needs⁶⁷ identified in section 1402.
- (e) MINORITY SET-ASIDE.--The Secretary may set aside a portion of the funds appropriated for grants under this section and make such amounts available only for grants to eligible institutions that the Secretary determines have unique capacilities for achieving the objective or full representation of minority groups that are underrepresented in the Nation's food and agricultural sciences work force.
- (f) AUTHORIZATION OF APPROPRIATIONS.--There are authorized to be appropriated \$11,000,000 for each of the fiscal years 1991 through 1995 to carry out this section.

SEC. 1447. GRANTS TO UPGRADE AGRICULTURAL AND FOOD SCIENCES FACILITIES AT 1890 LAND-GRANT COLLEGES, INCLUDING TUSKEGEE UNIVERSITY.

(a) PURPOSE.--It is hereby declared to be the intent of Congress to assist the institutions eligible to receive funds under the Act of August 30, 1890, including Tuskegee University (hereafter referred to in this section as "eligible institutions") in the acquisition and improvement of agricultural and food sciences

⁶⁷ It should be noted that the FACT Act of 1990 deleted the Findings wherein were listed the "needs" as referenced in this paragraph.

⁶⁸ 7 U.S.C. 3222(b). The FACT Act of 1990, section 1612(b), 104 Stat. 3722, inserted a new section 1447. [Original section 1447, 7 U.S.C. 341-342.] See Footnote 66.

facilities and equipment, including libraries, so that the eligible institutions may participate fully in the production of human capital.

- (b) AUTHORIZATION OF APPROPRIATIONS.--There are authorized to be appropriated to the Secretary of Agriculture for the purposes of carrying out the provisions of this section \$8,000,000 for each of the fiscal years 1991 through 1995, and such sums shall remain available until expended.
- (c) USE OF GRANT FUNDS.--Four percent of the sums appropriated pursuant to this section shall be available to the Secretary for administration of this grants program. The remaining funds shall be available for grants to eligible institutions for the purpose of assisting them in the purchase of equipment and land, the planning, construction, alteration, or renovation of buildings to strengthen their capacity in the production of human capital in the food and agricultural sciences and can be used at the discretion of the eligible institutions in the areas of research, extension, and resident instruction or any combination thereof.
- (d) METHOD OF AWARDING GRANTS.--Grants awarded pursuant to this section shall be made in such amounts and under such terms and conditions as the Secretary shall determine necessary for carrying out the purposes of this section.
- (e) PROHIBITION OF CERTAIN USES.--Federal funds provided under this section may not be utilized for the payment of any overhead costs of the eligible institutions.
- (f) REGULATIONS.--The Secretary may promulgate such rules and regulations as the Secretary may consider necessary to carry out the provisions of this section.

SEC. 1448. NATIONAL RESEARCH AND TRAINING CENTENNIAL CENTERS.

- (a) COMPETITIVE GRANTS AUTHORIZED.--The Secretary of Agriculture may make a competitive grant to five national research and training centennial centers located at colleges (or a consortia of such colleges) eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321 et seq.), including Tuskegee University, that--
 - (1) have been designated by the Secretary for the fiscal years 1991 through 1995 as national research and training centennial centers; and
 - (2) have the best demonstrable capacity, as determined by the Secretary, to provide administrative leadership as--
 - (A) a National Center for Goat Research and Training;
 - (B) a National Center for Agricultural Engineering Development, Research, and Training;
 - (C) a National Center for Water Quality and Agricultural Production Research and Training;
 - (D) a National Center for Sustainable Agriculture Research and Training; and
 - (E) a National Center for Domestic and International Trade and Development Research and Training.

⁶⁹ 7 U.S.C. 3222c. The FACT Act of 1990, section 1612(c), 104 Stat. 3723, inserted new language for section 1448. [Original section 1448, 7 U.S.C. 1923.] See Footnote 66.

- (b) USE OF GRANTS .-- A grant made under subsection (a) may be expended by a center to--
 - (1) pay expenses incurred in conducting research for which the center was designated;
 - (2) print and disseminate the results of such research;
 - (3) plan, administer, and direct such research; and
 - (4) alter or repair buildings necessary to conduct such research.
- (c) PRIORITY.--In making a grant determination under subsection (a), the Secretary shall give priority to those centers that--
 - (1) will assure dissemination of information between eligible institutions described in subsection (a) and among agricultural producers; and
 - (2) will attract students and needed professionals in the food and agricultural sciences.
- (d) PAYMENTS.--(1) Under the terms of a grant made under subsection (a), funds appropriated under subsection (f) for a fiscal year shall be paid (upon vouchers approved by the Secretary) to a center receiving the grant in equal quarterly installments beginning on or about the first day of October of such year.
- (2) Not later than 60 days after the end of each fiscal year for which funds are paid under this section to a center, the research director of such center shall submit to the Secretary a detailed statement of the disbursements in such fiscal year of funds received by such center under this section.
- (3) If any of the funds received by a center under this section are misapplied, lost, or diminished by any action or contingency on the part of the center--
 - (A) the center shall replace such funds; and
 - (B) the Secretary shall not distribute to such center any other funds under this subsection until such funds are replaced.
 - (e) PROHIBITED USES OF FUNDS .-- Funds provided under this section may not be used--
 - (1) to acquire or construct a building; or
 - (2) to pay the overhead costs of the college (or consortia of colleges) receiving the grant.
- (f) AUTHORIZATION OF APPROPRIATIONS.--There are authorized to be appropriated \$2,000,000 for each of the fiscal years 1991 through 1995 for grants under this section.
- (g) CENTER DEFINED.--For purposes of this section, the term "center" means a national research and training centennial center that receives a grant under this subsection.
- (h) COORDINATION OF CENTER ACTIVITIES.--(1) The center designated under subsection (a)(2)(C) shall coordinate its activities with the water quality research activities conducted under subtitle G of title XIV of the Food, Agriculture, Conservation, and Trade Act of 1990.

(2) The center designated under subsection (a)(2)(D) shall coordinate its activities with the sustainable agriculture research and education program established under subtitle B of title XVI of the Food, Agriculture, Conservation, and Trade Act of 1990.

SEC. 1449.66 Repealed.

SEC. 1450.66 Repealed.

SEC. 1451.66 Repealed.

SEC. 1452.66 Repealed.

SEC. 1453.66 Repealed.

SEC. 1454.66 Repealed.

SEC. 1455.66 Repealed.

SEC. 1456.66 Repealed.

SEC. 1457.66 Repealed.

SUBTITLE I-INTERNATIONAL AGRICULTURAL RESEARCH AND EXTENSION

SEC. 1458. INTERNATIONAL AGRICULTURAL RESEARCH AND EXTENSION.

- (a) AUTHORITY OF THE SECRETARY.--To carry out the policy of this subtitle, the Secretary (in consultation with the Agency for International Development and subject to such coordination with other Federal officials, Departments, and agencies as the President may direct) may--
 - (1) expand the operational coordination of the Department of Agriculture with institutions and other persons throughout the world performing agricultural and related research and extension activities by--
 - (A) exchanging research materials and results with the institutions or persons; and
 - (B) conducting with the institutions or persons joint or coordinated research and extension on problems of significance to food and agriculture in the United States;
 - (2) enter into cooperative arrangements with Departments and Ministries of Agriculture in other nations to conduct research, extension, and education activities in support of the development of a

The FACT Act of 1990, section 1613(a), 104 Stat. 1551, rewrote subsection (a) in its entirety. [Earlier amendments: The Amendments of 1981, section 1436, 95 Stat. 1313, revised and extended this section, included the reference to transitional countries in subsection (a)(3), and added new subsections (b) and (c). The Amendments of 1985, section 1418, 99 Stat. 1550, amended subsection (a)(3) by striking the words "the training of" and inserting in lieu thereof the words "providing technical assistance, training, and advice to" and amended subsection (a)(4) by inserting after the word "countries" the words "through the development of highly qualified scientists with specialization in international development".]

viable and sustainable global agricultural system, including efforts to establish a global system for plant genetic resources conservation;

- (3) enter into agreements with land-grant colleges and universities, the Agency for International Development, and international organizations (such as the United Nations, World Bank, regional development banks, the International Agricultural Research Center), or other organizations, institutions or individuals with comparable goals, to promote and support the development of a viable and sustainable global agricultural system;[.]⁷¹
- (4) further develop within the Department highly qualified and experienced scientists and experts who specialize in international programs, to be available to carry out the activities described in this section;
- (5) work with transitional and more advanced countries in food, agricultural, and related research, development, and extension (including providing technical assistance, training, and advice to persons from the countries engaged in the activities and the stationing of scientists and other specialists at national and international institutions in the countries);
- (6) expand collaboration and coordination with the Agency for International Development regarding food and agricultural research, extension, and education programs in developing countries;
- (7) assist colleges and universities in strengthening their capabilities for food, agricultural, and related research and extension that is relevant to agricultural development activities in other countries through--
 - (A) the provision of support to State universities and land-grant colleges and universities to do collaborative research with other countries on issues relevant to United States agricultural competitiveness;
 - (B) the provision of support for cooperative extension education in global agriculture and to promote the application of new technology developed in foreign countries to United States agriculture; and
 - (C) the provision of support for the internationalization of resident instruction programs of the universities and colleges described in subparagraph (A); and
- (8) establish, in cooperation with the Secretary of State, a program, to be coordinated through the International Arid Land Consortium, to enhance collaboration and cooperation between institutions possessing research capabilities applied to the development, management, and reclamation of arid lands.
- (b)⁷² ENHANCING LINKAGES.--The Secretary shall draw upon and enhance the resources of the land-grant colleges and universities, and other colleges and universities, for developing linkages among these institutions, the Federal Government, international research centers, and counterpart agencies and institutions in both the developed and less-developed countries to serve the purposes of agriculture and the economy of the United States and to make a substantial contribution to the cause of improved food and agricultural progress throughout the world.

⁷¹ The period so in the original; obviously a mistake in construction.

⁷² The FACT Act of 1990, section 1613(d)(1)(B), 104 Stat. 3726, added a heading to subsection (b).

(c)⁷⁸ PROVISION OF SPECIALIZED OR TECHNICAL SERVICES.—The Secretary may provide specialized or technical services, on an advance of funds or a reimburseable basis, to United States colleges and universities and other nongovernmental organizations carrying out international food, agricultural, and related research, extension, and teaching development projects and activities. All funds received in payment for furnishing such specialized or technical services shall be deposited to the credit of the appropriation from which the cost of providing such services has been paid or is to be charged.

SEC. 1458A.[™] GRANTS TO STATES FOR INTERNATIONAL TRADE DEVELOPMENT CENTERS.

- (a) GRANT PROGRAM.--The Secretary shall establish and carry out a program to make grants to States (or regional groupings of States) for the establishment and operation of international trade development centers, or the expansion of existing international trade development centers, in the United States to enhance the exportation of agricultural products and related products. Such grants shall be based on a matching formula of 50 per centum Federal and 50 per centum State or regional funding (including funds received by the State or region from private sources and from units of local government).
- (b)73 LOCATION AND FUNDING OF CERTAIN CENTERS.--The Secretary shall make determinations regarding the location and funding of international trade development centers established after the date of the enactment of this subsection based on a national plan for agricultural export promotion through international trade development centers. Grants under this section shall be made available on a competitive basis in accordance with such plan.
- (c)⁷⁵ PREFERENCES.--In making grants under subsection (a), the Secretary shall, consistent with the plan developed under subsection (b), give preference to States (or regional groupings of States) that intend to use, as sites for international trade development centers, land-grant colleges and universities (as defined in section 1404(10) of this Act) that--
 - (1) operate agricultural programs;
 - (2) have existing international trade programs that use an interdisciplinary approach and are operated jointly with State and Federal agencies to address international trade problems; and

⁷³ The FACT Act of 1990, section 1613(d)(1)(C), 104 Stat. 3726, added a heading to subsection (c) and after the word "universities" inserted the words "and other nongovernmental organizations".

⁷⁴ 7 U.S.C. 3292. The Amendments of 1985, section 1419, 99 Stat. 1550, added a new section 1458A. The FACT Act of 1990, section 1613(c) and (d)(2), 104 Stat. 3726, 3727, amended subsection (a) by adding a heading; in the first sentence of subsection (a) by striking the words "grants to States" and inserting in lieu thereof the words "State funding" and inserting in lieu thereof the words "State or regional funding" and striking the words "State from" and inserting in lieu thereof the words "State or region from"; by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), respectively; and by inserting a new subsection (b).

⁷⁵ The FACT Act of 1990, section 1613(c)(4), 104 Stat. 3726, amended redesignated subsection (c) by adding a heading; by inserting after the word "shall" in the matter preceding the paragraphs the words ", consistent with the plan developed under subsection (b)," and by striking the word "States" and inserting in lieu thereof the words "States (or regional groupings of States)".

(3) have an effective and progressive communications system that might be linked on an international basis to conduct conferences or trade negotiations.

(d)76 ACTIVITIES OF CENTERS.--Such centers may--

- (1) through research, establish a permanent data base to address the problems faced by potential exporters, including language barriers, interaction with representatives of foreign governments, transportation of goods and products, insurance and financing within foreign countries, and collecting international marketing data;
- (2) be used to house permanent or temporary exhibits that will stimulate and educate trade delegations from foreign nations with respect to agricultural products and related products produced in the United States and be made available for use by State and regional entities for exhibits, trade seminars, and negotiations involving such products; and
- (3) carry out such other activities relating to the exportation of agricultural products and related products as the Secretary may approve.
- (e)⁷⁷ AUTHORIZATION OF APPROPRIATIONS.--There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this section.

SUBTITLE J-STUDIES

SEC. 1459.78 Repealed.

SEC. 1460.79 Repealed.

SEC. 1461.80 Repealed.

SEC. 1462.81 Repealed.

⁷⁶ The FACT Act of 1990, section 1613(d)(2)(B), 104 Stat. 3726, amended redesignated subsection (d) by adding a heading.

⁷⁷ The FACT Act of 1990, section 1613(d)(2)(C), 104 Stat. 3727, amended redesignated subsection (e) by adding a heading.

⁷⁸ 7 U.S.C. 3301. The section mandated an evaluation of the Extension Service and the Cooperative Extension Services. The Amendments of 1985, section 1421, 99 Stat. 1552, repealed the section.

⁷⁹ 7 U.S.C. 3302. The section mandated a weather and water allocation study. The Amendments of 1985, section 1421, 99 Stat. 1552, repealed the section.

⁸⁰ 7 U.S.C. 3303. The section mandated an organic farming study. The Amendments of 1985, section 1421, 99 Stat. 1552, repealed the section.

⁸¹ 7 U.S.C. 3304. The section mandated an agricultural research facilities study. The Amendments of 1985, section 1421, 99 Stat. 1552, repealed the section.

SUBTITLE K-FUNDING AND MISCELLANEOUS PROVISIONS

AUTHORIZATION FOR APPROPRIATIONS FOR EXISTING AND CERTAIN NEW AGRICULTURAL RESEARCH PROGRAMS

- SEC. 1463.82 (a) Notwithstanding any authorization for appropriations for agricultural research in any Act enacted prior to the date of enactment of this title, there are hereby authorized to be appropriated for the purposes of carrying out the provisions of this title, except subtitle H⁸³ and sections 1416, 1417, 1419, 1420, and the competitive grants program provided for in section 1414, and except that the authorization for moneys provided under the Act of March 2, 1887 (24 Stat. 440-442, as amended; 7 U.S.C. 361a-361i), is excluded and is provided for in subsection (b) of this section, \$850,000,000 for each of the fiscal years 1991 through 1995.
- (b)⁸¹ Notwithstanding any authorization for appropriations for agricultural research at State agricultural experiment stations in any Act enacted prior to the date of enactment of this title, there are hereby authorized to be appropriated for the purpose of conducting agricultural research at State agricultural experiment stations pursuant to the Act of March 2, 1887 (24 Stat. 440-442, as amended; 7 U.S.C. 361a-361i), \$310,000,000 for each of the fiscal years 1991 through 1995.
- (c) Notwithstanding any other provision of law effective beginning October 1, 1983, not less than 25 per centum of the total funds appropriated to the Secretary in any fiscal year for the conduct of the cooperative research program provided for under the Act of March 2, 1887, commonly known as the Hatch Act (7 U.S.C. 361a et seq.); the cooperative forestry research program provided for under the Act of October 10, 1962, commonly known as the McIntire-Stennis Act (16 U.S.C. 582a et seq.); the special and competitive grants programs provided for in sections 2(b) and 2(c) of the Act of August 4, 1965 (7 U.S.C. 450i); the animal health research program provided for under sections 1433 and 1434 of this title; the native latex research program provided for in the Native Latex Commercialization and Economic Development Act of 1978 (7 U.S.C. 178 et seq.); and the research provided for under various statutes for which funds are appropriated under the Agricultural Research heading or a successor heading, shall be appropriated for research at State agricultural experiment stations pursuant to the provision of the Act of March 2, 1887.

AUTHORIZATION FOR APPROPRIATIONS FOR EXTENSION EDUCATION

SEC. 1464.84 Notwithstanding any authorization for appropriations for the Cooperative Extension Service in any Act enacted prior to the date of enactment of this title, there are hereby authorized to be

⁸² 7 U.S.C. 3311. The Amendments of 1981, section 1437, 95 Stat. 1314, extended the authorization for appropriations in subsections (a) and (b) and added a new subsection (c). The Amendments of 1985, section 1422(a) and (b), 99 Stat. 1552, further amended and extended the authorization for appropriations in subsections (a) and (b). The FACT Act of 1990, section 1601(b)(3), 104 Stat. 3703, in subsection (a) extended the authorization for appropriations through 1995 at a level of \$850,000,000 and in subsection (b) through 1995 at a level of \$310,000,000.

⁸³ The FACT Act of 1990, section 1601(f)(1)(D), 104 Stat. 3704, deleted Subtitle H in its entirety. This is obviously an error in conforming already existing language to amendments enacted.

⁸⁴ 7 U.S.C. 3312. The Amendments of 1981, section 1438, 95 Stat. 1314, extended the authorization for appropriations through the fiscal year ending September 30, 1985. The Amendments of 1985, section 1423, 99 Stat. 1552, further extended the authorization of appropriations through the fiscal year ending September 30, 1990. The FACT Act of 1990, section 1601(b)(4), 104 Stat. 3703, extended the authorization of appropriations in incremental amounts for the fiscal years 1991 through 1995.

2appropriated for the purposes of carrying out the extension programs of the Department of Agriculture \$420,000,000 for fiscal year 1991, \$430,000,000 for fiscal year 1992, \$440,000,000 for fiscal year 1993, \$450,000,000 for fiscal year 1994, and \$460,000,000 for fiscal year 1995.

EXTENSION PROGRAMS FOR GUAM AND THE VIRGIN ISLANDS OF THE UNITED STATES

SEC. 1465. [Amendments to the Smith-Lever Act (38 Stat. 373, as amended; 7 U.S.C. 343) the full text of which appears in this Compilation.]

AMENDMENTS TO THE HATCH ACT

SEC. 1466. [Amendments to the Hatch Act (24 Stat. 44, as amended; 7 U.S.C. 361(c)(4)) the full text of which appears in this Compilation.]

PAYMENT OF FUNDS

SEC. 1467.85 Except as provided elsewhere in this Act or any other Act of Congress, funds available for allotment under this title shall be paid to each eligible institution or State at such time and in such amounts as shall be determined by the Secretary.

WITHHOLDING OF FUNDS

SEC. 1468. Except as provided elsewhere in this Act or any other Act of Congress, if the Secretary determines that an institution or State is not entitled to receive its allotment of an annual appropriation under any provision of this title because of a failure to satisfy requirements of this title or regulations issued under it, the Secretary shall withhold such amounts, the facts and reasons concerning the determination and withholding shall be reported to the President, and the amount involved shall be deposited in the miscellaneous receipts of the Treasury.

AUDITING, REPORTING, BOOKKEEPING, AND ADMINISTRATIVE REQUIREMENTS

SEC. 1469.87 Except as provided elsewhere in this Act or any other Act of Congress-

- (1) assistance provided under this title shall be subject to the provisions of sections 2(e), 2(f), and 2(h) of the Act of August 4, 1965 (79 Stat. 431; 7 U.S.C. 450i), as amended by section 1414 of this title;
- (2) the Secretary shall provide that each recipient of assistance under this title shall submit an annual report, at such times and on such forms as the Secretary shall prescribe, stating the accomplishments of projects (on a project-by-project basis) for which such assistance was used and accounting for the use of all such assistance. If the Secretary determines that any portion of funds made available under this title has been lost or applied in a manner inconsistent with the provisions of this title or regulations issued thereunder the recipient of such funds shall reimburse the Federal

⁸⁵ 7 U.S.C. 3313.

^{86 7} U.S.C. 3314.

^{87 7} U.S.C. 3315.

Government for the funds lost or so applied, and the Secretary shall not make available to such recipient any additional funds under this Act until the recipient has so reimbursed the Federal Government;

- (3) three per centum of the appropriations shall be retained by the Secretary for the administration of the programs authorized under this title; and
- (4) the Secretary shall establish appropriate criteria for grant and assistance approval and necessary regulations pertaining thereto.

RULES AND REGULATIONS

SEC. 1470.88 The Secretary is authorized to issue such rules and regulations as the Secretary deems necessary to carry out the provisions of this title.

PROGRAM EVALUATION STUDIES

- SEC. 1471.89 (a) The Secretary shall regularly conduct program evaluations to meet the purposes of this title and the responsibilities assigned to the Secretary and the Department of Agriculture in this title. Such evaluations shall be designed to provide information that may be used to improve the administration and effectiveness of agricultural research, extension, and teaching programs in achieving their stated objectives.
- (b) The Secretary is authorized to encourage and foster the regular evaluation of agricultural research, extension, and teaching programs within the State agricultural experiment stations, cooperative extension services, and colleges and universities, through the development and support of cooperative evaluation programs and program evaluation centers and institutes.

GENERAL AUTHORITY TO ENTER INTO CONTRACTS, GRANTS, AND COOPERATIVE AGREEMENTS

- SEC. 1472. (a) The purpose of this section is to confer upon the Secretary general authority to enter into contracts, grants, and cooperative agreements to further the research, extension, or teaching programs in the food and agricultural sciences of the Department of Agriculture. This authority supplements all other laws relating to the Department of Agriculture and is not to be construed as limiting or repealing any existing authorities.
- (b)(1) Notwithstanding chapter 63 of title 31, United States Code, the Secretary may use a cooperative agreement as the legal instrument reflecting a relationship between the Secretary and a State cooperative institution, State department of agriculture, college, university, other research or educational institution or

^{88 7} U.S.C. 3316.

⁸⁹ 7 U.S.C. 3317. The Amendments of 1981, section 1439(a), 95 Stat. 1315, added to subtitle K a new section 1471 "Program Evaluation Studies".

⁹⁰ 7 U.S.C. 3318. The Amendments of 1981, section 1439(a), 95 Stat. 1315, added to subtitle K a new section 1472, "General Authority to Enter Into Contracts, Grants, and Cooperative Agreements". The Amendments of 1985, section 1424, 99 Stat. 1552, amended the section by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), respectively, and inserting a new subsection (b).

organization, Federal or private agency or organization, individual, or any other party, if the Secretary determines that-

- (A) the objectives of the agreement will serve a mutual interest of the parties to the agreement in agricultural research, extension, and teaching activities, including statistical reporting; and
 - (B) all parties will contribute resources to the accomplishment of those objectives.
- (2) Notwithstanding any other provision of law, any Federal agency may participate in any such cooperative agreement by contributing funds through the appropriate agency of the Department of Agriculture or otherwise if it is mutually agreed that the objectives of the agreement will further the authorized programs of the contributing agency.
- (c) The Secretary may enter into contracts, grants, or cooperative agreements, for periods not to exceed five years, with State agricultural experiment stations, State cooperative extension services, all colleges and universities, other research or education institutions and organizations, Federal and private agencies and organizations, individuals, and any other contractor or recipient, either foreign or domestic, to further research, extension, or teaching programs in the food and agricultural sciences of the Department of Agriculture.
- (d) The Secretary may vest title to expendable and nonexpendable equipment and supplies and other tangible personal property in the contractor or recipient when the contractor or recipient purchases such equipment, supplies, and property with contract, grant, or cooperative agreement funds and the Secretary deems such vesting of title a furtherance of the agricultural research, extension, or teaching objectives of the Department of Agriculture.
- (e) Unless otherwise provided in this title, the Secretary may enter into contracts, grants, or cooperative agreements, as authorized by this section, without regard to any requirements for competition, the provisions of section 3709 of the Revised Statutes (41 U.S.C. 5), and the provisions of section 3648 of the Revised Statutes (31 U.S.C. 529).

RESTRICTION ON TREATMENT OF INDIRECT COSTS AND TUITION REMISSION

SEC. 1473.91 Funds made available by the Secretary under established Federal-State partnership arrangements to State cooperative institutions under the Acts referred to in section 1404(16) of this title and funds made available under subsection (c)(2) and subsection (d) of section 2 of the Act of August 4, 1965 (7 U.S.C. 450i) shall not be subject to reduction for indirect costs or for tuition remission. No indirect costs or tuition remission shall be charged against funds in connection with cooperative agreements between the Department of Agriculture and State cooperative institutions if the cooperative program or project involved is of mutual interest to all the parties and if all the parties contribute to the cooperative agreement involved. The prohibition on the use of such funds for the reimbursement of indirect costs shall not apply to funds for international agricultural programs conducted by the Secretary or to funds provided by a Federal agency for such cooperative program or project through a fund transfer, advance, or reimbursement. The Secretary shall limit the amount of such reimbursement to an amount necessary to carry out such program or agreement.

⁹¹ 7 U.S.C. 3319. The Amendments of 1981, section 1439(a), 95 Stat. 1315, added to subtitle K a new section 1473, "Restriction on Treatment of Indirect Costs and Tuition Remission". The Amendments of 1985, section 1425, 99 Stat. 1553, added the final two sentences to the section.

COST-REIMBURSABLE AGREEMENTS

SEC. 1473A.⁹² Notwithstanding any other provision of law, the Secretary of Agriculture may enter into cost-reimbursable agreements with State cooperative institutions without regard to any requirement for competition, for the acquisition of goods or services, including personal services, to carry out agricultural research, extension, or teaching activities of mutual interest. Reimbursable costs under such agreements shall include the actual direct costs of performance, as mutually agreed on by the parties, and the indirect costs of performance, not exceeding 10 percent of the direct cost.

SEC. 1473B.93 Repealed.

SEC. 1473C.92 Repealed.

SUPPLEMENTAL AND ALTERNATIVE CROPS

- SEC. 1473D. (a) Notwithstanding any other provision of law, during the period beginning October 1, 1986, and ending September 30, 1995, the Secretary shall develop and implement a research and pilot project program for the development of supplemental and alternative crops, using such funds as are appropriated to the Secretary each fiscal year under this title.
- (b) The development of supplemental and alternative crops is of critical importance to producers of agricultural commodities whose livelihood is threatened by the decline in demand experienced with respect to certain of their crops due to changes in consumption patterns or other related causes.
- (c)(1) The Secretary shall use such research funding, special or competitive grants, or other means, as the Secretary determines, to further the purposes of this section in the implementation of a comprehensive and integrated program.
 - (2) The program developed and implemented by the Secretary shall include--
 - (A) an examination of the adaptation of supplemental and alternative crops;
 - (B) the establishment and extension of various methods of planting, cultivating, harvesting, and processing supplemental and alternative crops at pilot sites in areas adversely affected by declining demand for crops grown in the area;
 - (C) the transfer of such applied research from pilot sites to on-farm practice as soon as practicable;

⁹² 7 U.S.C. 3319a. The Amendments of 1985, section 1426, 99 Stat. 1553, added to Subtitle K a new section 1473A, "Cost-Reimbursable Agreements".

⁹³ 7 U.S.C. 3319b, 3319c. The Amendments of 1985, section 1427, 99 Stat. 1533, added to subtitle K a new section 1473B, "Technology Development for Small- and Medium-sized Farming Operations", and a new section 1473C, "Special Technology Development Research Program". The FACT Act of 1990, section 160l(f)(1)(E) and (F), 104 Stat. 3704, repealed both sections.

⁹⁴ 7 U.S.C. 3319d. The Amendments of 1985, section 1428, added to Subtitle K a new section 1473D, "Supplemental and Alternative Crops". The FACT Act of 1990, section 1601(B)(5), 104 Stat. 3703, extended the authority by striking "1990" and inserting in lieu thereof "1995".

- (D) the establishment through grants, cooperative agreements, or other means of such processing, storage, and transportation facilities near such pilot sites for supplemental and alternative crops as the Secretary determines will facilitate the achievement of a successful pilot program; and
- (E) the application of such other resources and expertise as the Secretary considers appropriate to support the program.
- (3) The pilot program may include, but shall not be limited to, agreements, grants, and other arrangements--
 - (A) to conduct comprehensive resource and infrastructure assessments;
 - (B) to develop and introduce supplemental and alternative income-producing crops;
 - (C) to develop and expand domestic and export markets for such crops; and
 - (D) to provide technical assistance to farm owners and operators, marketing cooperatives, and others.
- (d) The Secretary shall use the expertise and resources of the Agricultural Research Service, the Cooperative State Research Service, the Extension Service, and the land-grant colleges and universities for the purpose of carrying out this section.

SEC. 1473E.* RESEARCH INTO NEW COMMERCIAL PRODUCTS FROM NATURAL PLANT MATERIALS.

The Secretary may--

- (1) conduct fundamental and applied research related to the development of new commercial products derived from natural plant materials for industrial, medical, and agricultural applications; and
- (2) participate with colleges and universities, other Federal agencies, and private sector entities in conducting such research.

SUBTITLE L-AQUACULTURE*

PURPOSE

SEC. 1474.⁹⁷ It is the purpose of this subtitle to promote research and extension activities of the institutions hereinafter referred to in section 1475(b), and to coordinate their efforts as an integral part in the implementation of the National Aquaculture Act of 1980 (16 U.S.C. 2801 et seq.) by encouraging landowners, individuals, and commercial institutions to develop aquaculture production and facilities and

⁹⁵ 7 U.S.C. 3319e. It should be noted that identical language was enacted in the FACT Act of 1990, section 1672(j), 7 U.S.C. 5925, 104 Stat. 3772, without repealing existing language of section 1473E.

⁹⁶ The Amendments of 1981, section 1440(a), 95 Stat. 1316, added "Subtitle L--Aquaculture".

^{97 7} U.S.C. 3321.

sound aquacultural practices that will, through research and technology transfer programs, provide for the increased production and marketing of aquacultural food products.

AQUACULTURE ASSISTANCE PROGRAMS

- SEC. 1475. (a) RESEARCH AND EXTENSION.—The Secretary may develop and implement a cooperative research and extension program to encourage the development, management, and production of important aquatic food species within the several States and territories of the United States to enhance further the safety of food products derived from the aquaculture industry, in accordance with the national aquaculture development plan, and revisions thereto, developed under the National Aquaculture Act of 1980.
 - (b) GRANTS .-- The Secretary may make grants to--
 - (1) land-grant and sea-grant colleges and universities;
 - (2) State agricultural experiment stations;
 - (3) colleges, universities, and Federal laboratories having a demonstrable capacity to conduct aquacultural research, as determined by the Secretary; and
 - (4) nonprofit private research institutions;

for research and extension to facilitate or expand promising advances in the production and marketing of aquacultural food species and products and to enhance further the safety and wholesomeness of those species and products, including the development of reliable supplies of seed stock and therapeutic compounds. Except in the case of Federal laboratories, no grant may be made under this subsection unless the State in which the grant recipient is located makes a matching grant (of which amount an in-kind contribution may not exceed 50 percent) to such recipient equal to the amount of the grant to be made under this subsection, and unless the grant is in implementation of the

national aquaculture development plan, and revisions thereto, developed under the National Aquaculture Act of 1980.

(c)¹⁰⁰ AQUACULTURE DEVELOPMENT PLANS.--The Secretary may assist States to formulate aquaculture development plans for the enhancement of the production and marketing of aquacultural species and products from such States and may make grants to States on a matching basis, as determined by the Secretary. The aggregate amount of the grants made to any one State under this subsection may not exceed

⁹⁸ 7 U.S.C. 3322. The FACT Act of 1990, section 1614(a)(1), 104 Stat. 3727, amended subsection (a) by inserting a heading and by striking the words "United States," and inserting in lieu thereof the words "United States and to enhance further the safety of food products derived from the aquaculture industry,".

[&]quot;The Amendments of 1985, section 1429(a), 99 Stat. 1555, amended subsection (b) by adding a new paragraph (4) and in the last sentence after the words "matching grants" inserting the words "(of which amount an in-kind contribution may not exceed 50 percent)". The FACT Act of 1990, section 1614(a)(2), 104 Stat. 3727, further amended subsection (b) by adding a heading; in paragraph (1) after the word "land-grant" inserting the words "and sea-grant"; and inserting at the end of the first sentence the words "and to enhance further the safety and wholesomeness of those species and products, including the development of reliable supplies of seed stock and therapeutic compounds".

¹⁰⁰ The FACT Act of 1990, section 1614(a)(3), 104 Stat. 3727, amended subsection (c) by inserting a heading.

\$50,000. The plans shall be consistent with the national aquaculture development plan, and revisions thereto, developed under the National Aquaculture Act of 1980.

- (d)¹⁰¹ AQUACULTURAL CENTERS.--To provide for aquacultural research, development, and demonstration projects having a national or regional application, the Secretary may establish in existing Federal facilities or in cooperation with any of the non-Federal entities specified in subsection (b) up to five aquacultural research, development, and demonstration centers in the United States for the performance of aquacultural research, extension work, and demonstration projects. Funds made available for the operation of such regional centers may be used for the rehabilitation of existing buildings or facilities to house such centers, but may not be used for the construction or acquisition of new buildings or facilities. To the extent practicable, the aquaculture research, development, and demonstration centers established under this subsection shall be geographically located so that they are representative of the regional aquaculture opportunities. To the extent practicable, the Secretary shall ensure that equitable efforts are made at these centers in addressing the research needs of those segments of the domestic aquaculture industry located within that region.
- (e)¹⁰² REPORTS.--(1) Not later than March 1 of each year, the Secretary shall submit a report to the President, the House Committee on Agriculture, the House Committee on Merchant Marine and Fisheries, the House Committee on Appropriations, the Senate Committee on Agriculture, Nutrition, and Forestry, and the Senate Committee on Appropriations, containing a summary outlining the progress of the Department of Agriculture in meeting the purposes of the programs established under this subtitle.
- (2) The Secretary shall, in consultation with the interagency aquaculture coordinating group established under section 6(a) of the National Aquaculture Act of 1980 (16 U.S.C. 2805(a)), conduct a study to assess the economic impact of animal damage to the United States aquaculture industry. In conducting such study, the Secretary shall provide for the consideration of all types of animal damage, including predation, that have an impact on aquaculture enterprises, including fish farming. The Secretary shall submit a report detailing the results of such study to the Committee on Agriculture and the Committee on Merchant Marine and Fisheries of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate not later than January 1, 1992.
- (f)¹⁶⁵ LISTING OF LAWS ON AQUACULTURE.--The interagency aquaculture coordinating group established under section 6(a) of the National Aquaculture Act of 1980 (16 U.S.C. 2805(a)) shall, in

The Amendments of 1985, section 1429(a)(3), 99 Stat. 1556, amended subsection (d) by striking out "State agencies" and all that followed through "universities," and inserting in lieu thereof "any of the non-Federal entities specified in subsection (b)" and adding at the end a new sentence. The FACT Act of 1990, section 1614(a)(4), 104 Stat. 3727, further amended subsection (d) by inserting a heading; in the first sentence striking the word "four" and inserting in lieu thereof the word "five"; and inserting at the end of the subsection an additional new sentence.

The Amendments of 1985, section 1429(a)(5), 99 Stat. 1556, amended subsection (e) in the first sentence after the words "House Committee on Agriculture" by inserting the words "the House Committee on Merchant Marine and Fisheries,". The FACT Act of 1990, section 1614(a)(5), 104 Stat. 3727, further amended subsection (e) by striking the words "Not later" and all that follows through "subsequent year," and inserting in lieu thereof the words "REPORTS.--(1) Not later than March 1 of each year,"; and by inserting a new paragraph (2).

^{. 103} The FACT Act of 1990, section 1614(a)(6), 104 Stat. 3727, amended section 1475 by adding new subsections (f) and (g).

consultation with appropriate Federal and State agencies, compile a listing of Federal and State laws, rules, and regulations materially affecting the production, processing, marketing, and transportation of aquaculturally produced commodities and the products thereof. The interagency aquaculture coordinating group shall make such listing available to the public not later than January 1, 1992, and shall update and revise such listing not later than January 1, 1996, to show such laws, rules, and regulations as in effect on that date.

(g)¹⁰¹ FISH DISEASE PROGRAM.--The Secretary shall implement, in consultation with the Joint Subcommittee on Aquaculture referred to in section 6 of the National Aquaculture Act of 1980 (16 U.S.C. 2805), a fish disease program to include the development of new diagnostic procedures for fish diseases, the determination of the effect of water environment on the development of the fish immune system, and the development of therapeutic, synthetic, or natural systems, for the control of fish diseases.

SEC. 1476.164 AQUACULTURE RESEARCH FACILITIES.

- (a) GRANT AUTHORIZED.--In order to gain further knowledge of intensive water recirculating aquaculture systems, the Secretary may make grants for the purpose of further developing and expanding aquaculture research facilities at Illinois State University in Normal, Illinois, and Virginia Polytechnic Institute and State University in Blacksburg, Virginia, and to conduct such programs as are necessary to do basic and applied research for intensive water recirculating aquaculture systems.
- (b) AUTHORIZATION OF APPROPRIATIONS.--There are authorized, in the event the Secretary decides to take action under subsection (a), to be appropriated \$500,000 for each of the two facilities for fiscal years 1991 through 1995 to carry out this section.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 1477.¹⁰⁵ There is authorized to be appropriated \$7,500,000 for each of the fiscal years 1991 through 1995. Funds appropriated under this section or section 1476 may not be used to acquire or construct a building.

SUBTITLE M-RANGELAND RESEARCH106

¹⁰⁴ 7 U.S.C. 3323. The Amendments of 1985, section 1429(b), 99 Stat. 1556, repealed the original language of section 1476 which established an Aquaculture Advisory Board. The FACT Act of 1990, section 1614(b), 104 Stat. 3728, inserted after section 1475 a new section 1476.

¹⁰⁵ 7 U.S.C. 3324. The Amendments of 1985, section 1429(c), 99 Stat. 1556, rewrote section 1477 and extended the authority until September 30, 1990. The FACT Act of 1990, section 1614(c), 104 Stat. 3728, amended the section by striking "each fiscal year" and all that follows through "1990." and inserting "each of the fiscal years 1991 through 1995."; and by adding at the end a new sentence.

¹⁰⁶ The Amendments of 1981, section 1440(a), 95 Stat. 1318, added "Subtitle M--Rangeland Research".

SUBTITLE M-RANGELAND RESEARCH106

PURPOSE

SEC. 1478.¹⁰⁷ It is the purpose of this subtitle to promote the general welfare through improved productivity of the Nation's rangelands, which comprise 60 per centum of the land area of the United States. Most of these rangelands are unsuited for cultivation, but produce a great volume of forage that is inedible by humans but readily converted, through an energy efficient process, to high quality food protein by grazing animals. These native grazing lands are located throughout the United States and are important resources for major segments of the Nation's livestock industry. In addition to the many livestock producers directly dependent on range-fed livestock and on range-produced forage that can be substituted for grain in times of grain scarcity. Recent resource assessments indicate that forage production of rangeland can be increased at least 100 per centum through development and application of improved range management practices while simultaneously enhancing wildlife, watershed, recreational, and aesthetic values and reducing hazards of erosion and flooding.

RANGELAND RESEARCH PROGRAM

SEC. 1479.¹⁰⁸ The Secretary may develop and implement a cooperative rangeland research program in coordination with the program carried out under the Renewable Resources Extension Act of 1978 to improve the production and quality of desirable native forages or introduced forages which are managed in a similar manner to native forages for livestock and wildlife. The program shall include studies of: (1) management of rangelands and agricultural land as integrated systems for more efficient utilization of crops and waste products in the production of food and fiber; (2) methods of managing rangeland watershed to maximize efficient use of water and improve water yield, water quality, and water conservation, to protect against onsite and offsite damage of rangeland resources from floods, erosion, and other detrimental influences, and to remedy unsatisfactory and unstable rangeland conditions; (3) revegetation and rehabilitation of rangelands including the control of undesirable species of plants; and (4) such other matters as the Secretary considers appropriate.

RANGELAND RESEARCH GRANTS

SEC. 1480.¹⁰⁹ The Secretary may make grants to land-grant colleges and universities, State agricultural experiment stations, and to colleges, universities, and Federal laboratories having a demonstrable capacity in rangeland research, as determined by the Secretary, to carry out rangeland research. Except in the case of Federal laboratories, this grant program shall be based on a matching formula of 50 per centum Federal and 50 per centum non-Federal funding.

¹⁰⁶ The Amendments of 1981, section 1440(a), 95 Stat. 1318, added "Subtitle M--Rangeland Research".

¹⁰⁷ 7 U.S.C. 3331.

¹⁰⁸ 7 U.S.C. 3332.

¹⁰⁹ 7 U.S.C. 3333.

REPORTS

SEC. 1481.¹¹⁰ Not later than one year after enactment of this subtitle, and not later than March 1 of each successive year, the Secretary shall submit a report to the President, the House Committee on Agriculture, the House Committee on Appropriations, the Senate Committee on Agriculture, Nutrition, and Forestry, and the Senate Committee on Appropriations, outlining the progress of the Department of Agriculture in meeting the program requirements set forth in section 1479 of this subtitle.

RANGELAND RESEARCH ADVISORY BOARD

- SEC. 1482.¹¹¹ (a) The Secretary shall establish a board to be known as the Rangeland Research Advisory Board which shall have a term that expires September 30, 1995, and which shall be composed of the following twelve members appointed by the Secretary:
 - (1) four representatives of agencies of the Department of Agriculture which have significant research, extension, or teaching responsibilities;
 - (2) four representatives of the State agricultural experiment stations; and
 - (3) four representatives of national rangeland and range livestock organizations.

The members shall serve without compensation, if not otherwise officers or employees of the United States, except that they shall, while away from their homes or regular places of business in the performance of services for the Board, be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under sections 5701 through 5707 of title 5, United States Code.

(b) The Board shall meet at the call of the Secretary, but at least once annually, to consult with and advise the Secretary with respect to the implementation of this subtitle and to recommend priorities for the conduct of programs authorized under this subtitle, under such rules and procedures for conducting business as the Secretary shall prescribe.

APPROPRIATIONS

- SEC. 1483.¹¹² (a) There are authorized to be appropriated, to implement the provisions of this subtitle, such sums not to exceed \$10,000,000 for each of the fiscal years 1991 through 1995.
- (b) Funds appropriated under this section shall be allocated by the Secretary to eligible institutions for work to be done as mutually agreed upon between the Secretary and the eligible institution or institutions. The Secretary shall, whenever possible, consult with the Board in developing plans for the use of these funds.

¹¹⁰ 7 U.S.C. 3334.

¹¹¹ 7 U.S.C. 3335. The Amendments of 1985, section 1430(a), 99 Stat. 1556, extended the authority for the Board to 1990. The FACT Act of 1990, section 1601(b)(6), 104 Stat. 3703, extended the authority to 1995.

¹¹² 7 U.S.C. 3336. The Amendments of 1985, section 1430(b), 99 Stat. 1556, extended the authority to 1990. The FACT Act of 1990, section 160l(b)(7), extended the authority "for each of the fiscal years 1991 through 1995.".

FOOD, AGRICULTURE, CONSERVATION, AND TRADE ACT OF 1990

PUBLIC LAW 101-624, NOVEMBER 28, 1990

TITLE XVI-RESEARCH



FOOD, AGRICULTURE, CONSERVATION, AND TRADE ACT OF 1990

PUBLIC LAW 101-624 NOVEMBER 28, 1990

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TITLE XVI-RESEARCH

SUBTITLE A-EXTENSION AND CHANGES TO EXISTING PROGRAMS

SEC. 1601. INCREASED AUTHORIZATIONS FOR, AND THE EXTENSION OR REPEAL OF, EXISTING PROGRAMS.

- [(a) Amendments to section 4(a) of the Research Facilities Act (104 Stat. 3703; 7 U.S.C. 390c(a)).]
- [(b) Amendments to the National Agricultural Research, Extension, and Teaching Policy Act of 1977, as follows:
 - (1) Amendments to section 1433(a) (104 Stat. 3703; 7 U.S.C. 3195(a));
 - (2) Amendments to section 1434(a) (104 Stat. 3703; 7 U.S.C. 3196(a));
 - (3) Amendments to section 1463(a) and (b) (104 Stat. 3703; 7 U.S.C. 3311);
 - (4) Amendments to section 1464 (104 Stat. 3703; 7 U.S.C. 3312);
 - (5) Amendment to section 1473D(a) (104 Stat. 3703; 7 U.S.C. 3319(d));
 - (6) Amendment to section 1482(a) (104 Stat. 3703; 7 U.S.C. 3335(a)); and
 - (7) Amendments to section 1483(a) (104 Stat. 3703; 7 U.S.C. 3336(a)).]
- [(c) Amendments to section 1432(b)(5) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (104 Stat. 3703; 7 U.S.C. 3222 note).]
- [(d)(1) Amendments to section 1416(b) of the Food Security Act of 1985 (104 Stat. 3704; 7 U.S.C. 3224(b)).
 - (2) Amendments to section 1431 of the Food Security Act of 1985 (104 Stat. 3704).]
- [(e) Amendments to section 16 of the Critical Agricultural Materials Act (104 Stat. 3704; 7 U.S.C. 178n).]
- [(f) Repeals of programs established in the National Agricultural Research, Extension, and Teaching Policy Act of 1977, as amended (104 Stat. 3704).]
- SEC. 1602. PURPOSES OF THE AGRICULTURAL RESEARCH AND EXTENSION SYSTEM.

[Amendments to section 1402 (104 Stat. 3705; 7 U.S.C. 3101) and section 1403 (104 Stat. 3705; 7 U.S.C. 3102) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977.]

SEC. 1603. DEFINITIONS.

[Amendments to section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (104 Stat. 3705; 7 U.S.C. 3103).]

SEC. 1604. JOINT COUNCIL ON FOOD AND AGRICULTURAL SCIENCES AND NATIONAL AGRICULTURAL RESEARCH AND EXTENSION USERS ADVISORY BOARD.

[Amendments to section 1407 (104 Stat. 3706; 7 U.S.C. 3122(a)) and section 1408 (104 Stat. 3709; 7 U.S.C. 3123) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977.]

SEC. 1605. AGRICULTURAL SCIENCE AND TECHNOLOGY REVIEW BOARD.

[Addition of new section 1408A (104 Stat. 3711; 7 U.S.C. 3123a) and amendments to section 1412 (104 Stat. 3713; 7 U.S.C. 3127) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977.]

SEC. 1606. NATIONAL AGRICULTURAL LIBRARY.

[Addition of new section 1410A to the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (104 Stat. 3714; 7 U.S.C. 3125a).]

SEC. 1607. GRANTS TO ENHANCE RESEARCH CAPACITY IN SCHOOLS OF VETERINARY MEDICINE.

[Amendments to section 1415 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (104 Stat. 3716; 7 U.S.C. 3151).]

SEC. 1608. GRANTS AND FELLOWSHIPS FOR FOOD AND AGRICULTURAL SCIENCES EDUCATION.

[Amendments to section 1417 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (104 Stat. 3716; 7 U.S.C. 3152).]

SEC. 1609. GRANTS FOR RESEARCH ON THE PRODUCTION AND MARKETING OF ALCOHOLS AND INDUSTRIAL HYDROCARBONS FROM AGRICULTURAL COMMODITIES AND FOREST PRODUCTS.

[Amendment to section 1419 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (104 Stat. 3718; 7 U.S.C. 3154).]

SEC. 1610. FOOD SCIENCE AND NUTRITION RESEARCH CENTER.

[Amendment to section 1424 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (104 Stat. 3719; 7 U.S.C. 3174).]

SEC. 1611. ANIMAL HEALTH AND DISEASE RESEARCH STUDY AND ANIMAL HEALTH SCIENCE RESEARCH ADVISORY BOARD.

[Amendments to section 1431 (104 Stat. 3720; 7 U.S.C. 3193) and section 1432 (104 Stat. 3721; 7 U.S.C. 3194) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977.]

SEC. 1612. GRANT PROGRAMS FOR 1890 LAND-GRANT COLLEGES, INCLUDING TUSKEGEE UNIVERSITY.

[Amendment to section 1446 (104 Stat. 3721; 7 U.S.C. 3222a), section 1447 (104 Stat. 3722; 7 U.S.C. 3222b), and section 1448 (104 Stat. 3723; 7 U.S.C. 3222c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977.]

SEC. 1613. INTERNATIONAL AGRICULTURAL SCIENCE, EDUCATION, AND DEVELOPMENT AND INTERNATIONAL TRADE DEVELOPMENT CENTERS.

[Amendments to section 1458 (104 Stat. 3724; 7 U.S.C. 3291(a)) and section 1458A (104 Stat. 3726; 7 U.S.C. 3291) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977.]

SEC. 1614. AQUACULTURE ASSISTANCE PROGRAMS.

[Amendments to section 1475 (104 Stat. 3727; 7 U.S.C. 3322) and section 1476 (104 Stat. 3728; 7 U.S.C. 3323) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977.]

SEC. 1615. NATIONAL COMPETITIVE RESEARCH INITIATIVE.

[Amendments to section 2(a) and (b) of Public Law 89-106 (104 Stat. 3729-3731; 7 U.S.C. 450i).]

SEC. 1616. SPECIAL RESEARCH GRANTS.

[Amendments to section 2(c) of Public Law 89-106 (104 Stat. 3732; 7 U.S.C. 450i).]

SEC. 1617. MINIMIZATION OF CONFLICTS OF INTEREST OF EMPLOYEES OF COLLEGES RECEIVING FUNDS UNDER THE SMITH-LEVER ACT.

[Amendment to section 4 of the Act of May 8, 1914 (commonly known as the Smith-Lever Act) (104 Stat.3732; 7 U.S.C. 344).]

SEC. 1618. AGRICULTURAL EXPERIMENT STATIONS AND TRANSPORTATION OF VIRUS OF FOOT-AND-MOUTH DISEASE.

[Amendments to section 3(d) of the Act of March 1, 1887 (104 Stat. 3733; 7 U.S.C. 361c(d)) and section 12 of the Act of May 29, 1884 (104 Stat. 3733; 7 U.S.C. 113a).]

SUBTITLE B-SUSTAINABLE AGRICULTURE RESEARCH AND EDUCATION

SEC. 1619.113 PURPOSE AND DEFINITIONS.

- (a) PURPOSE.--It is the purpose of this subtitle to encourage research designed to increase our knowledge concerning agricultural production systems that--
 - (1) maintain and enhance the quality and productivity of the soil;
 - (2) conserve soil, water, energy, natural resources, and fish and wildlife habitat;

¹¹³ 7 U.S.C. 5801.

- (3) maintain and enhance the quality of surface and ground water;
- (4) protect the health and safety of persons involved in the food and farm system;
- (5) promote the well being of animals; and
- (6) increase employment opportunities in agriculture.
- (b) **DEFINITIONS.--For purposes of this subtitle:**
- (1) The term "sustainable agriculture" shall have the same meaning given to that term by section 1404(17) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(17)).
- (2) The term "integrated crop management" means an agricultural management system that integrates all controllable agricultural production factors for long-term sustained productivity, profitability, and ecological soundness.
- (3) The term "integrated resource management" means livestock management which utilizes an interdisciplinary systems approach which integrates all controllable agricultural production practices to provide long-term sustained productivity and profitable production of safe and wholesome food in an environmentally sound manner.
- (4) The term "agribusiness" includes a producer or organization engaged in an agricultural enterprise with a profit motive.
- (5) The term "extension" shall have the same meaning given to that term by section 1404(7) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(7)).
 - (6) The term "Secretary" means the Secretary of Agriculture.
- (7) The term "Advisory Council" means the National Sustainable Agriculture Advisory Council established under section 1622(c).
- (8) The term "State" means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands of the United States, American Samoa, the Commonwealth of the Northern Marianas¹¹⁴ Islands, the Trust Territory of the Pacific Islands, or federally recognized Indian tribes.
- (9) The term "State agricultural experiment stations" shall have the same meaning given to that term by section 1404(13) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(13)).
 - (10) The term "nonprofit organization" means an organization, group, institute, or institution that-
 - (A) has a demonstrated capacity to conduct agricultural research or education programs;
 - (B) has experience in research, demonstration, education, or extension in sustainable agricultural practices and systems; and

¹¹⁴ So in the original.

(C) qualifies as a nonprofit organization under section 501(c) of the Internal Revenue Code of 1986.

SEC. 1620. REPEAL OF AGRICULTURAL PRODUCTIVITY RESEARCH.

[Amendment repealing Subtitle C (sections 1461-1471) of the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985 (104 Stat. 3734; 7 U.SC. 4701-4710).]

CHAPTER 1-BEST UTILIZATION OF BIOLOGICAL APPLICATIONS

SEC. 1621.115 RESEARCH AND EXTENSION PROJECTS.

- (a) PROJECTS REQUIRED.—The Secretary shall conduct research and extension projects to obtain data, develop conclusions, demonstrate technologies, and conduct educational programs that promote the purposes of this chapter, including research and extension projects that—
 - (1) facilitate and increase scientific investigation and education in order to-
 - (A) reduce, to the extent feasible and practicable, the use of chemical pesticides, fertilizers, and toxic natural materials in agricultural production;
 - (B) improve low-input farm management to enhance agricultural productivity, profitability, and competitiveness; and
 - (C) promote crop, livestock, and enterprise diversification; and
 - (2) facilitate the conduct of projects in order to-
 - (A) study, to the extent practicable, agricultural production systems that are located in areas that possess various soil, climate, and physical characteristics;
 - (B) study farms that have been, and will continue to be, managed using farm production practices that rely on low-input and conservation practices;
 - (C) take advantage of the experience and expertise of farmers and ranchers through their direct participation and leadership in projects;
 - (D) transfer practical, reliable and timely information to farmers and ranchers concerning low-input sustainable farming practices and systems; and
 - (E) promote a partnership between farmers, nonprofit organizations, agribusiness, and public and private research and extension institutions.
- (b) AGREEMENTS.--The Secretary shall carry out this section through agreements entered into with land-grant colleges or universities, other universities, State agricultural experiment stations, the State cooperative extension services, nonprofit organizations with demonstrable expertise, or Federal or State governmental entities.

¹¹⁵ 7 U.S.C. 5811.

(c) SELECTION OF PROJECTS .--

- (1) IN GENERAL.--The Secretary shall select research and extension projects to be conducted under this section on the basis of--
 - (A) the recommendations of the Advisory Council;
 - (B) the relevance of the project to the purposes of this chapter;
 - (C) the appropriateness of the design of the project;
 - (D) the likelihood of obtaining the objectives of the project; and
 - (E) the national or regional applicability of the findings and outcomes of the proposed project.
- (2) PRIORITY.--In conducting projects under this section, the Secretary shall give priority to projects that--
 - (A) are recommended by the Advisory Council;
 - (B) closely coordinate research and extension activities;
 - (C) indicate the manner in which the findings of the project will be made readily usable by farmers;
 - (D) maximize the involvement and cooperation of farmers, including projects involving onfarm research and demonstration;
 - (E) involve a multidisciplinary systems approach; and
 - (F) involve cooperation between farms, non-profit organizations, colleges and universities, and government agencies.
- (d) DIVERSIFICATION OF RESEARCH.--The Secretary shall conduct projects and studies under this section in areas that are broadly representative of the diversity of United States agricultural production, including production on family farms, mixed-crop livestock farms and dairy operations.
- (e) ON-FARM RESEARCH.--The Secretary may conduct projects and activities that involve on-farm research and demonstration in carrying out this section.
- (f) IMPACT STUDIES.--The Secretary may approve study projects concerning the national and regional economic, global competitiveness, social and environmental implications of the adoption of low-input sustainable agricultural practices and systems.

(g) PROJECT DURATION.--

(1) IN GENERAL.--The Secretary may approve projects to be conducted under this section that have a duration of more than one fiscal year.

- (2) SEQUENCE PLANTING.—In the case of a research project conducted under this section that involves the planting of a sequence of crops or crop rotations, the Secretary shall approve such projects for a term that is appropriate to the sequence or rotation being studied.
- (h) PUBLIC ACCESS.--The Secretary shall ensure that research projects conducted under this section are open for public observation at specified times.

(i) INDEMNIFICATION.--

- (1) IN GENERAL.--Subject to paragraph (2), the Secretary may indemnify the operator of a project conducted under this section for damage incurred or undue losses sustained as a result of a rigid requirement of research or demonstration under such project that is not experienced in normal farming operations.
- (2) SUBJECT TO AGREEMENT.--An indemnity payment under paragraph (1) shall be subject to any agreement between a project grantee and operator entered into prior to the initiation of such project.

SEC. 1622.¹¹⁶ PROGRAM ADMINISTRATION.

- (a) DUTIES OF SECRETARY .-- The Secretary shall--
- (1) administer the programs and projects conducted under sections 1621 and 1623 through the Cooperative State Research Service in close cooperation with the Extension Service, Agricultural Research Service, and other appropriate agencies;
 - (2) establish the Advisory Council in accordance with subsection (c);
- (3) establish a minimum of four Regional Administrative Councils in accordance with subsection (e); and
- (4) in conjunction with such Regional Administrative Councils, identify regional host institutions required to carry out such programs or projects.
- (b) REPORTS.--The Secretary shall, not later than April 1, 1991, and each April 1 thereafter, prepare and submit to the Committee on Agriculture of the House of Representatives, the Committee on Agriculture, Nutrition, and Forestry of the Senate, and the Advisory Council--
 - (1) a report describing the results of the programs carried out under sections 1621, 1623, and 1627; and
 - (2) a report describing the progress of projects conducted under this subtitle, including-
 - (A) a summary and analysis of data collected under such projects;
 - (B) recommendations based on such data for new basic or applied research;
 - (C) the number, length, and type of projects proposed, funded and carried out, by region; and

^{116 7} U.S.C. 5812.

- (D) the national and regional economic, social, and environmental implications of the adoption of practices developed under this subtitle and section 1650.
- (c) NATIONAL SUSTAINABLE AGRICULTURE ADVISORY COUNCIL.--The membership of the National Sustainable Agriculture Advisory Council shall include representatives of--
 - (1) the Agricultural Research Service;
 - (2) the Cooperative State Research Service;
 - (3) the Soil Conservation Service;
 - (4) the Extension Service;
 - (5) State cooperative extension services;
 - (6) State agricultural experiment stations;
 - (7) the Economic Research Service;
 - (8) the National Agricultural Library;
 - (9) the Environmental Protection Agency;
 - (10) the Farmers Home Administration;
 - (11) the Board on Agriculture of the National Academy of Sciences;
 - (12) private nonprofit organizations with demonstrable expertise;
 - (13) farmers utilizing systems and practices of sustainable agriculture;
 - (14) the United States Geological Survey;
 - (15) agribusiness; and
- (16) other specialists in agricultural research or technology transfer, including individuals from colleges eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321 et seq.), including Tuskegee University, or other colleges or universities with demonstrable expertise.
 - (d) RESPONSIBILITIES OF ADVISORY COUNCIL.--The Advisory Council shall--
 - (A) make recommendations to the Secretary concerning research and extension projects that should receive funding under sections 1621 and 1623;
 - (B) promote the programs established under this chapter at the national level;
 - (C) coordinate research and extension activities funded under such programs;
 - (D) establish general procedures for awarding and administering funds under this chapter;
 - (E) consider recommendations for improving such programs;

- (F) facilitate cooperation and integration between sustainable agriculture, national water quality, integrated pest management, food safety, and other related programs; and
 - (G) prepare and submit an annual report concerning its activities to the Secretary.

(e) REGIONAL ADMINISTRATIVE COUNCILS.--

- (1) MEMBERSHIP.--The membership of the Regional Administrative Councils shall include representatives of--
 - (A) the Agricultural Research Service;
 - (B) the Cooperative State Research Service;
 - (C) the Extension Service;
 - (D) State cooperative extension services;
 - (E) State agricultural experiment stations;
 - (F) the Soil Conservation Service;
 - (G) State departments engaged in sustainable agriculture programs;
 - (H) nonprofit organizations with demonstrable expertise;
 - (I) farmers utilizing systems and practices of sustainable agriculture;
 - (J) agribusiness;
 - (K) the State or United States Geological Survey; and
 - (L) other persons knowledgeable about sustainable agriculture and its impact on the environment and rural communities.
 - (2) RESPONSIBILITIES.--The Regional Administrative Councils shall--
 - (A) make recommendations to the Advisory Council concerning research and extension projects that merit funding under sections 1621 and 1623;
 - (B) promote the programs established under this subtitle at the regional level;
 - (C) establish goals and criteria for the selection of projects authorized under this subtitle within the applicable region;
 - (D) appoint a technical committee to evaluate the proposals for projects to be considered under this subtitle by such council;
 - (E) review and act on the recommendations of the technical committee, and coordinate its activities with the regional host institution; and

- (F) prepare and make available an annual report concerning projects funded under sections 1621 and 1623, together with an evaluation of the project activity.
- (3) CONFLICT OF INTEREST.--A member of the Regional Administrative Council or a technical committee may not participate in the discussion or recommendation of proposed projects if the member has or had a professional or business interest in, including the provision of consultancy services, the organization whose grant application is under review.

SEC. 1623.117 FEDERAL-STATE MATCHING GRANT PROGRAM.

- (a) ESTABLISHMENT.--The Secretary shall establish a Federal-State matching grant program to make grants to States to assist in the creation or enhancement of State sustainable agriculture research, extension, and education programs, in furtherance of this subtitle.
- (b) ELIGIBLE PROGRAMS AND ACTIVITIES.--States eligible to receive a grant under this section may conduct a variety of activities designed to carry out the purpose of this subtitle, including--
 - (1) activities that encourage the incorporation and integration of sustainable agriculture concerns in all State research, extension, and education projects;
 - (2) educational programs for farmers, educators, and the public;
 - (3) the development and funding of innovative research, extension, and education programs regarding sustainable agriculture;
 - (4) the conduct of research and demonstration projects;
 - (5) the provision of technical assistance to farmers and ranchers;
 - (6) activities that encourage farmer-to-farmer information exchanges;
 - (7) the incorporation of sustainable agriculture studies in undergraduate and graduate degree programs; and
 - (8) such other activities that are appropriate to the agricultural concerns of the State that are consistent with the purpose of this chapter.

(c) SUBMISSION OF PLAN.--

- (1) REQUIRED.--States that elect to apply for a grant under this section shall prepare and submit, to the appropriate Regional Administrative Council established under section 1622, a State plan and schedule for approval by such council and the Secretary.
- (2) ELEMENTS OF PLAN.--State plans prepared under paragraph (1) shall provide details of the proposed program to be implemented using funds provided under this section for fiscal years 1991 through 1995, or any 5-year period thereafter, and shall identify the sources of matching State funds for the same fiscal year.

¹¹⁷ 7 U.S.C. 5813.

(3) PARTICIPATION OF FARMERS.—To be eligible for approval, State plans submitted under this subsection shall demonstrate that there will be extensive and direct participation of farmers in the development, implementation, and evaluation of the program.

(d) GRANT AWARD.--

- (1) LIMITS.--Subject to paragraph (2), the Secretary shall provide grants to eligible States in an amount not to exceed 50 percent of the cost of the establishment or enhancement of a State sustainable agriculture program under a plan approved by the Secretary under subsection (c) for a period not to exceed 5 years.
- (2) STATE CONTRIBUTION.--To be eligible to receive a grant under this section, a State shall agree to pay, from State appropriated funds, other State revenue, or from private contributions received by the State, not less than 50 percent of the cost of the establishment or enhancement of the sustainable agriculture program under an approved plan under subsection (c).

SEC. 1624.118 AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated \$40,000,000 for each fiscal year to carry out this chapter. Of amounts appropriated to carry out this chapter for a fiscal year, not less than \$15,000,000, or not less than two thirds of any such appropriation, whichever is greater, shall be used to carry out sections 1621 and 1623.

CHAPTER 2-INTEGRATED MANAGEMENT SYSTEMS

SEC. 1627.119 INTEGRATED MANAGEMENT SYSTEMS.

- (a) ESTABLISHMENT.--The Secretary shall establish a research and education program concerning integrated resource management and integrated crop management in order to enhance research related to farming operations, practices, and systems that optimize crop and livestock production potential and are environmentally sound. The purpose of the program shall be--
 - (1) to encourage producers to adopt integrated crop and livestock management practices and systems that minimize or abate adverse environmental impacts, reduce soil erosion and loss of water and nutrients, enhance the efficient use of on-farm and off-farm inputs, and maintain or increase profitability and long-term productivity;
 - (2) to develop knowledge and information on integrated crop and livestock management systems and practices to assist agricultural producers in the adoption of these systems and practices;
 - (3) to accumulate and analyze information on agricultural production practices researched or developed under programs established under this subtitle, subtitle G of title XIV, and section 1650 and other appropriate programs of the Department of Agriculture to further the development of integrated crop and livestock management systems;
 - (4) to facilitate the adoption of whole-farm integrated crop and livestock management systems through demonstration projects on individual farms, including small and limited resource farms, throughout the United States; and

¹¹⁸ 7 U.S.C. 5814.

¹¹⁹ 7 U.S.C. 5821. It should be noted there are no sections 1625 or 1626; so in the original.

- (5) to evaluate and recommend appropriate integrated crop and livestock management policies and programs.
- (b) DEVELOPMENT AND ADOPTION OF INTEGRATED CROP MANAGEMENT PRACTICES.—The Secretary shall encourage agricultural producers to adopt and develop individual, site-specific integrated crop management practices. On a priority basis, the Secretary shall develop and disseminate information on integrated crop management systems for agricultural producers in specific localities or crop producing regions where the Secretary determines—
 - (1) water quality is impaired as a result of local or regional agricultural production practices; or
 - (2) the adoption of such practices may aid in the recovery of endangered or threatened species.
- (c) DEVELOPMENT AND ADOPTION OF INTEGRATED RESOURCE MANAGEMENT PRACTICES.--The Secretary shall, on a priority basis, develop programs to encourage livestock producers to develop and adopt individual, site-specific integrated resource management practices. These programs shall be designed to benefit producers and consumers through--
 - (1) optimum use of available resources and improved production and financial efficiency for producers;
 - (2) identifying and prioritizing the research and educational needs of the livestock industry relating to production and financial efficiency, competitiveness, environmental stability, and food safety; and
 - (3) utilizing an interdisciplinary approach.
- (d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each fiscal year \$20,000,000 to carry out this section through the Extension Service.

CHAPTER 3-SUSTAINABLE AGRICULTURE TECHNOLOGY DEVELOPMENT AND TRANSFER PROGRAM

SEC. 1628. 120 TECHNICAL GUIDES AND HANDBOOKS.

- (a) DEVELOPMENT.--Not later than two years after the date of the enactment of this Act, the Secretary shall develop and make available handbooks and technical guides, and any other educational materials that are appropriate for describing sustainable agriculture production systems and practices, as researched and developed under this subtitle, subtitle G of title XIV, section 1650, and other appropriate research programs of the Department.
- (b) CONSULTATION AND COORDINATION.—The Secretary shall develop the handbooks, technical guides, and educational materials in consultation with the Advisory Council, the Soil Conservation Service, and any other appropriate entities designated by the Secretary. The Secretary shall coordinate activities conducted under this section with those conducted under section 1261 of the Food Security Act of 1985, as added by section 1446.
- (c) TOPICS OF HANDBOOKS AND GUIDES.--The handbooks and guides, and other education materials, shall include detailed information on the selection of crops and crop-plant varieties, rotation practices, soil building practices, tillage systems, nutrient management, integrated pest management practices,

¹²⁰ 7 U.S.C. 5831.

habitat protection, pest, weed, and disease management, livestock management, soil, water, and energy conservation, and any other practices in accordance with or in furtherance of the purpose of this subtitle.

- (d) ORGANIZATION AND CONTENTS.--The handbooks and guides, and other educational materials, shall provide practical instructions and be organized in such a manner as to enable agricultural producers desiring to implement the practices and systems developed under this subtitle, subtitle G of title XIV, section 1650, and other appropriate research programs of the Department to address site-specific, environmental and resource management problems and to sustain farm profitability, including--
 - (1) enhancing and maintaining the fertility, productivity, and conservation of farmland and ranch soils, ranges, pastures, and wildlife;
 - (2) maximizing the efficient and effective use of agricultural inputs;
 - (3) protecting or enhancing the quality of water resources; or
 - (4) optimizing the use of on-farm and nonrenewable resources.
- (e) AVAILABILITY.—The Secretary shall ensure that handbooks and technical guides, and other educational materials are made available to the agricultural community and the public through colleges and universities, the State Cooperative Extension Service, the Soil Conservation Service, other State and Federal agencies, and any other appropriate entities.
- (f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.

SEC. 1629.121 NATIONAL TRAINING PROGRAM.

- (a) IN GENERAL.--The Secretary shall establish a National Training Program in Sustainable Agriculture to provide education and training for Cooperative Extension Service agents and other professionals involved in the education and transfer of technical information concerning sustainable agriculture in order to develop their understanding, competence, and ability to teach and communicate the concepts of sustainable agriculture to Cooperative Extension Service agents and to farmers and urban residents who need information on sustainable agriculture.
- (b) ADMINISTRATION.--The National Training Program shall be organized and administered by the Extension Service, in coordination with other appropriate Federal agencies. The Secretary shall designate an individual from the Cooperative Extension Service in each State to coordinate the National Training Program within that State. The coordinators shall be responsible, in cooperation with appropriate Federal and State agencies, for developing and implementing a statewide training program for appropriate field office personnel.

(c) REQUIRED TRAINING .--

(1) AGRICULTURAL AGENTS.--The Secretary shall insure that all agricultural agents of the Cooperative Extension Service have completed the National Training Program not later than the end of the five-year period beginning on the date of enactment of this Act. Such training may occur at a college or university located within each State as designated by the coordinator designated under this section.

¹²¹ 7 U.S.C. 5832.

(2) PROOF OF TRAINING.--Beginning three years after the date of enactment of this Act, the Secretary shall ensure that all new Cooperative Extension Service agents employed by such Service are able to demonstrate, not later than 18 months after the employment of such agents, that such agents have completed the training program established in subsection (a).

(d) REGIONAL TRAINING CENTERS.--

- (1) DESIGNATION.--The Secretary shall designate not less than two regional training centers to coordinate and administer educational activities in sustainable agriculture as provided for in this section.
- (2) TRAINING PROGRAM.--Such centers shall offer intensive instructional programs involving classroom and field training work for extension specialists and other individuals who are required to transmit technical information.
- (3) PROHIBITION ON CONSTRUCTION.--Such centers shall be located at existing facilities, and no funds appropriated to carry out this chapter shall be used for facility construction.
- (4) ADMINISTRATION.--Such centers should be administered by entities that have a demonstrated capability relating to sustainable agriculture. The Secretary should consider utilizing existing entities with expertise in sustainable agriculture to assist in the design and implementation of the training program under paragraph (2).
- (5) COORDINATION OF RESOURCES.--Such centers shall make use of information generated by the Department of Agriculture and the State agricultural experiment stations, and the practical experience of farmers, especially those cooperating in on-farm demonstrations and research projects, in carrying out the functions of such center.

(e) COMPETITIVE GRANTS.--

- (1) IN GENERAL.--The Secretary shall establish a competitive grants program to award grants to organizations, including land-grant colleges and universities, to carry out sustainable agricultural training for county agents and other individuals that need basic information concerning sustainable agriculture practices.
- (2) SHORT COURSES.--The purpose of the grants made avialable under paragraph (1) shall be to establish, in various regions in the United States, training programs that consist of workshops and short courses designed to familiarize participants with the concepts and importance of sustainable agriculture.
- (f) REGIONAL SPECIALISTS.--To assist county agents and farmers implement production practices developed under this subtitle, subtitle G of title XIV, section 1650, and other appropriate research programs of the Department, regional sustainable agriculture specialists may be designated within each State who shall report to the State coordinator of that State. The specialists shall be responsible for developing and coordinating local dissemination of sustainable agriculture information in a manner that is useful to farmers in the region.
- (g) INFORMATION AVAILABILITY.--The Cooperative Extension Service within each State shall transfer information developed under this subtitle, subtitle G of title XIV, section 1650, and other appropriate research programs of the Department through a program that shall--

- (1) assist in developing farmer-to-farmer information exchange networks to enable farmers making transitions to more sustainable farming systems to share ideas and draw on the experiences of other farmers:
- (2) help coordinate and publicize a regular series of sustainable agriculture farm tours and field days within each State;
- (3) plan for extension programming, including extensive farmer input and feedback, in the design of new and ongoing research endeavors related to sustainable agriculture;
- (4) provide technical assistance to individual farmers in the design and implementation of farm management plans and strategies for making a transition to more sustainable agricultural systems;
- (5) consult and work closely with the Soil Conservation Service and the Agricultural Stabilization and Conservation Service in carrying out the information, technical assistance, and related programs;
- (6) develop, coordinate, and direct special education and outreach programs in areas highly susceptible to groundwater contamination, linking sustainable agriculture information with water quality improvement information;
- (7) develop information sources relating to crop diversification, alternative crops, on-farm food or commodity processing, and on-farm energy generation;
- (8) establish a well-water testing program designed to provide those persons dependent upon underground drinking water supplies with an understanding of the need for regular water testing, information on sources of testing, and an understanding of how to interpret test results and provide for the protection of underground water supplies;
- (9) provide specific information on water quality practices developed through the research programs in subtitle G of title XIV;
- (10) provide specific information on nutrient management practices developed through the research programs in subtitle G of title XIV; and
- (11) provide information concerning whole-farm management systems integrating research results under this subtitle, subtitle G of title XIV, section 1650, and other appropriate research programs of the Department.
- (h) DEFINITION.--For purposes of this section, the term "appropriate field office personnel" includes employees of the Extension Service, Soil Conservation Service, and other appropriate Department of Agriculture personnel, as determined by the Secretary, whose activities involve the provision of agricultural production and conservation information to agricultural producers.
- (i) AUTHORIZATION OF APPROPRIATIONS.--There are authorized to be appropriated \$20,000,000 for each fiscal year to carry out the National Training Program.

SUBTITLE C-NATIONAL GENETICS¹²² RESOURCES PROGRAM

SEC. 1632.¹²³ ESTABLISHMENT, PURPOSE, AND FUNCTIONS OF THE NATIONAL GENETIC RESOURCES PROGRAM.

- (a) IN GENERAL.--The Secretary of Agriculture shall provide for a National Genetic Resources Program.
- (b) PURPOSE.--The program is established for the purpose of maintaining and enhancing a program providing for the collection, preservation, and dissemination of genetic material of importance to American food and agriculture production.
- (c) ADMINISTRATION.--The program shall be administered by the Secretary through the Agricultural Research Service.
 - (d) FUNCTIONS.--The Secretary, acting through the program, shall--
 - (1) provide for the collection, classification, preservation, and dissemination of genetic material of importance to the food and agriculture sectors of the United States;
 - (2) conduct research on the genetic materials collected and on methods for storage and preservation of those materials;
 - (3) coordinate the activities of the program with similar activities occurring domestically;
 - (4) make available upon request, without charge and without regard to the country from which such request originates, the genetic material which the program assembles;
 - (5) expand the types of genetic resources included in the program to develop a comprehensive genetic resources program which includes plants (including silvicultural species), animal, aquatic, insect, microbiological, and other types of genetic resources of importance to food and agriculture, as resources permit; and
 - (6) engage in such other activities as the Secretary determines appropriate and as the resources of the program permit.

SEC. 1633.¹²⁴ APPOINTMENT AND AUTHORITY OF DIRECTOR.

(a) DIRECTOR.--There shall be at the head of the program an official to be known as the Director of the National Genetic Resources program¹²⁵ who shall be appointed by the Secretary. The Director shall

¹²² It should be noted that the word "Genetics" is apparently an error. All other references to the title of the program in this subtitle use the word "Genetic" and in section 1635, Definitions, the program is defined as the National Genetic Resources Program.

¹²³ 7 U.SC. 5841.

¹²⁴ 7 U.S.C. 5842.

¹²⁵ So in original.

perform such duties as are assigned to the Director by this subtitle and such other duties as the Secretary may prescribe.

- (b) ADMINISTRATIVE AUTHORITY.--In carrying out this subtitle, the Secretary, acting through the Director--
 - (1) shall be responsible for the overall direction of the program and for the establishment and implementation of general policies respecting the management and operation of activities within the program;
 - (2) may secure for the program consultation services and advice of persons from the United States and abroad;
 - (3) may accept voluntary and uncompensated services; and
 - (4) may perform such other administrative functions as the Secretary determines are needed to effectively carry out this subtitle.
 - (c) DUTIES .-- The Director shall--
 - (1) advise participants on the program activities;
 - (2) coordinate, review and facilitate the systematic identification and evaluation of, relevant information generated under the program;
 - (3) promote the effective transfer of the information described in paragraph (2) to the agriculture and food production community and to entities that require such information; and
 - (4) monitor the effectiveness of the activities described in paragraph (3).
- (d) BIENNIAL REPORTS.--The Director shall prepare and transmit to the Secretary and to the Congress a biennial report containing--
 - (1) a description of the activities carried out by and through the program and the policies of the program, and such recommendations respecting such activities and policies as the Director considers to be appropriate;
 - (2) a description of the necessity for, and progress achieved toward providing, additional programs and activities designed to include the range of genetic resources described in section 1632(d)(5) in the activities of the program; and
 - (3) an assessment of events and activities occurring internationally as they relate to the activities and policies of the program.
- (e) INITIAL REPORTS.--Not later than one year after the date of the enactment of this Act, the Director shall transmit to the Secretary and to the Congress a report--
 - (1) describing the projected needs over a 10-year period in each of the areas of genetic resources described in section 1632(d)(5), including the identification of existing components of a comprehensive program, policies and activities needed to coordinate those components, and additional elements not in existence which are required for the development of a comprehensive genetic resources program as described in such section;

- (2) assessing the international efforts and activities related to the program, and their effect upon and coordination with the program; and
- (3) evaluating the potential effect of various national laws, including national quarantine requirements, as well as treaties, agreements, and the activities of international organizations on the development of a comprehensive international system for the collection and maintenance of genetic resources of importance to agriculture.

SEC. 1634.126 ADVISORY COUNCIL.

- (a) ESTABLISHMENT AND MEMBERSHIP.--The Secretary shall establish an advisory council for the program for the purpose of advising, assisting, consulting with, and making recommendations to, the Secretary and Director concerning matters related to the activities, policies and operations of the program. The advisory council shall consist of ex officio members and not more than nine members appointed by the Secretary.
- (b) EX OFFICIO MEMBERS.--The ex officio members of the advisory council shall consist of the following persons (or their designees):
 - (1) The Director.
 - (2) The Assistant Secretary of Agriculture for Science and Education.
 - (3) The Director of the National Agricultural Library.
 - (4) The Director of the National Institutes of Health.
 - (5) The Director of the National Science Foundation.
 - (6) The Secretary of Energy.
 - (7) The Director of the Office of Science and Technology Policy.
 - (8) Such additional officers and employees of the United States as the Secretary determines are necessary for the advisory council to effectively carry out its functions.
- (c) APPOINTMENT OF OTHER MEMBERS.--The members of the advisory council who are not ex officio members shall be appointed by the Secretary as follows:
 - (1) Two-thirds of the members shall be appointed from among the leading representatives of the scientific disciplines relevant to the activities of the program, including agricultural sciences, environmental sciences, natural resource sciences, health sciences, and nutritional sciences.
 - (2) One-third of the members shall be appointed from the general public and shall include leaders in fields of public policy, trade, international development, law, or management.
- (d) COMPENSATION.--Members of the advisory council shall serve without compensation, if not otherwise officers or employees of the United Staes, except that they shall, while away from their homes or regular places of business in the performance of services for the advisory council, be allowed travel expenses,

^{126 7} U.S.C. 5843.

including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under sections 5701 through 5707 of title 5, United States Code.

(e) TERM OF OFFICE OF APPOINTEES; VACANCIES .--

- (1) TERM.--The term of office of a member appointed under subsection (c) is four years, except that any member appointed to fill a vacancy occurring before the expiration of the term for which the predecessor of such member was appointed shall be appointed only for the remainder of such term.
- (2) INITIAL APPOINTMENT.--The Secretary shall make appointments to the advisory council so as to ensure that the terms of the members appointed under subsection (c) do not all expire in the same year. A member may serve after the expiration of the member's term until a successor takes office.
- (3) REAPPOINTMENT.--A member who is appointed for a term of four years may not be reappointed to the advisory council before two years after the date of expiration of such term of office.
- (4) VACANCIES.--If a vacancy occurs in the advisory council among the members appointed under subsection (c), the Secretary shall make an appointment to fill such vacancy within 90 days after the date such vacancy occurs.
- (f) CHAIR.--The Secretary shall select as the chair of the advisory council one of the members appointed under subsection (c). The term of office of the chair shall be two years.
- (g) MEETINGS.--The advisory council shall meet at the call of the chair or on the request of the Director, but at least two times each fiscal year. The location of the meetings of the advisory council shall be subject to the approval of the Director.
- (h) STAFF.--The Director shall make available to the advisory council such staff, information, and other assistance as it may require to carry out its functions.
- (i) ORIENTATION AND TRAINING.--The Director shall provide such orientation and training for new members of the advisory council as may be appropriate for their effective participation in the functions of the advisory council.
- (j) COMMENTS AND RECOMMENDATIONS.--The advisory council may prepare, for inclusion in a report submitted under section 1633--
 - (1) comments respecting the activities of the advisory council during the period covered by the report;
 - (2) comments on the progress of the program in meeting its objectives; and
 - (3) recommendations respecting the future directions, program, and policy emphasis of the program.
- (k) REPORTS.--The advisory council may prepare such reports as the advisory council determines to be appropriate.

(1) APPLICATION OF ADVISORY COMMITTEE ACT.--Section 14(a) of the Federal Advisory Committee Act (5 U.S.C. App.) relating to the termination of an advisory committee shall not apply to the advisory committee established under this section.

SEC. 1635.127 DEFINITIONS AND AUTHORIZATION OF APPROPRIATIONS.

- (a) **DEFINITIONS.--For purposes of this subtitle:**
 - (1) The term "program" means the National Genetic Resources Program.
 - (2) The term "Secretary" means the Secretary of Agriculture.
- (3) The term "Director" means the Director of the National Genetic Resources Program.
- (b) AUTHORIZATION OF APPROPRIATIONS.--There are authorized to be appropriated such funds as may be necessary to carry out this subtitle for each of the fiscal years 1991 through 1995.

SUBTITLE D-NATIONAL AGRICULTURAL WEATHER INFORMATION SYSTEM

SEC. 1637.128 SHORT TITLE AND PURPOSES.

- (a) SHORT TITLE.--This subtitle may be cited as the "National Agricultural Weather Information System Act of 1990".
 - (b) PURPOSES.--The purposes of this subtitle are--
 - (1) to provide a nationally coordinated agricultural weather information system, based on the participation of universities, State programs, Federal agencies, and the private weather consulting sector, and aimed at meeting the weather and climate information needs of agricultural producers;
 - (2) to facilitate the collection, organization, and dissemination of advisory weather and climate information relevant to agricultural producers, through the participation of the private sector and otherwise;
 - (3) to provide for research and education on agricultural weather and climate information, aimed at improving the quality and quantity of weather and climate information available to agricultural producers, including research on short-term forecasts of thunderstorms and on extended weather forecasting techniques and models;
 - (4) to encourage, where feasible, greater private sector participation in providing agricultural weather and climate information, to encourage private sector participation in educating and training farmers and others in the proper utilization of agricultural weather and climate information, and to strengthen their ability to provide site-specific weather forecasting for farmers and the agricultural sector in general; and

¹²⁷ 7 U.S.C. 5844.

¹²⁸ 7 U.S.C. 5851.

(5) to ensure that the weather and climate data bases needed by the agricultural sector are of the highest scientific accuracy and thoroughly documented, and that such data bases are easily accessible for remote computer access.

SEC. 1638.129 AGRICULTURAL WEATHER OFFICE.

- (a) ESTABLISHMENT OF THE OFFICE AND ADMINISTRATION OF THE SYSTEM.--
- (1) ESTABLISHMENT REQUIRED,.-The Secretary of Agriculture shall establish in the Department of Agriculture an Agricultural Weather Office to plan and administer the National Agricultural Weather Information System. The system shall be comprised of the office established under this section and the activities of the State agricultural weather information systems described in section 1640.
- (2) DIRECTOR.—The Secretary shall appoint a Director to manage the activities of the Agricultural Weather Office and to advise the Secretary on scientific and programmatic coordination for climate, weather, and remote sensing.
- (b) AUTHORITY.--The Secretary, acting through the Office, may undertake the following activities to carry out this subtitle:
 - (1) Enter into cooperative projects with the National Weather Service to-
 - (A) support operational weather forecasting and observation useful in agriculture;
 - (B) sponsor joint workshops to train agriculturalists about the optimum utilization of agricultural weather and climate data;
 - (C) jointly develop improved computer models and computing capacity; and
 - (D) enhance the quality and availability of weather and climate information needed by agriculturalists.
 - (2) Obtain standardized weather observation data collected in near real time through State agricultural weather information systems.
 - (3) Make, through the Cooperative State Research Service, competitive grants under subsection (c) for research in atmospheric sciences and climatology.
 - (4) Make grants to eligible States under section 1640 to plan and administer State agricultural weather information systems.
 - (5) Coordinate the activities of the Office with the weather and climate research activities of the Cooperative State Research Service, the National Academy of Sciences, the National Sciences Foundation Atmospheric Services Program, and the National Climate Program.

^{129 7} U.S.C. 5852.

¹³⁰ So in original.

(6) Encourage private sector participation in the National Agricultural Weather Information System through mutually beneficial cooperation with the private sector, particularly in generating weather and climate data useful for site-specific agricultural weather forecasting.

(c) COMPETITIVE GRANTS PROGRAM.--

- (1) GRANTS AUTHORIZED.--With funds allocated to carry out this subsection, the Secretary of Agriculture may make grants to State agricultural experiment stations, all colleges and universities, other research institutions and organizations, Federal agencies, private organizations and corporations, and individuals to carry out research in all aspects of atmospheric sciences and climatology that can be shown to be important in both a basic and developmental way to understanding, forecasting, and delivering agricultural weather information.
- (2) COMPETITIVE BASIS.--Grants made under this subsection shall be made on a competitive basis.
- (d) PRIORITY.--In selecting among applications for grants under subsection (c), the Secretary shall give priority to proposals which emphasize--
 - (1) techniques and processes that relate to weather-induced agricultural losses, and to improving the advisory information on weather extremes such as drought, floods, freezes, and storms well in advance of their actual occurrence;
 - (2) the improvement of site-specific weather data collection and forecasting; or
 - (3) the impact of weather on economic and environmental costs in agricultural production.

SEC. 1639.¹³¹ NATIONAL ADVISORY BOARD ON AGRICULTURAL WEATHER.

- (a) ESTABLISHMENT.--The Secretary of Agriculture shall establish the Advisory Board on Agricultural Weather (hereinafter referred to in this section as the "Board") to advise the Director of the Agricultural Weather Office with respect to carrying out this Act.
- (b) COMPOSITION.--The Board shall be composed of nine members, appointed by the Secretary in consultation with the Director of the National Weather Service. Two of the members shall be from each of the four regions of the cooperative extension service. Of the two members from each region, one shall be an agricultural producer and one shall be an agricultural or atmospheric scientist. At least two members of the Board shall be appointed from among individuals who are engaged in providing private meteorology services or consulting with a private meteorology firm.
 - (c) CHAIRPERSON.--The Board shall elect a chairperson from among its members.
- (d) TERM.--Each Board member shall be appointed for a three-year term, except that to ensure that members of the Board serve staggered terms, the Secretary shall appoint three of the original members of the Board to appointments for one year, and three of the original members to appointments for two years.
 - (e) MEETINGS.--The Board shall meet not less than twice annually.

¹³¹ 7 U.S.C. 5853.

- (f) COMPENSATION.--Members of the Board shall serve without compensation, but while away from their homes or regular places of business in the performance of services for the Board, members of the Board shall be allowed travel expenses, including a per diem allowance in lieu of subsistence, in the same manner as individuals employed in Government service are allowed travel expenses under section 5703 of title 5. United States Code.
- (g) FEDERAL ADVISORY COMMITTEE ACT.--Section 14(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply with respect to the Board.

SEC. 1640.¹³² STATE AGRICULTURAL WEATHER INFORMATION SYSTEMS.

(a) ADVISORY PROGRAM GRANTS.--

- (1) GRANTS REQUIRED.--With funds allocated to carry out this section, the Secretary of Agriculture shall make grants to not fewer than 10 eligible States to plan and administer, in cooperation with persons described in paragraph (2), advisory programs for State agricultural weather information systems.
- (2) PERSONS DESCRIBED.--The persons referred to in paragraph (1) are the Director of the Agricultural Weather Office, the Administrator of the Extension Service, the Administrator of the Cooperative State Research Service, and other persons as appropriate (such as the directors of the appropriate State agricultural experiment stations and State extension programs).
- (b) CONSULTATION.--For purposes of selecting among applications submitted by States for grants under this section, the Secretary shall take into consideration the recommendation of the Advisory Board on Agricultural Weather and consult with the Director.
- (c) ELIGIBILITY REQUIREMENTS.--To be eligible to receive a grant under this section, the chief executive officer of a State shall submit to the Secretary an application that contains--
 - (1) assurances that the State will expend such grant to plan and administer a State agricultural weather system that will--
 - (A) collect observational weather data throughout the State and provide such data to the National Weather Service and the Agricultural Weather Office;
 - (B) develop methods for packaging information received from the national system for use by agricultural producers (with State Cooperative Extension Services and the private sector to serve as the primary conduit of agricultural weather forecasts and climatic information to producers); and
 - (C) develop programs to educate agricultural producers on how to best use weather and climate information to improve management decisions; and
 - (2) such other assurances and information as the Secretary may require by rule.

¹³² 7 U.S.C. 5854.

SEC. 1641.133 FUNDING.

- (a) ALLOCATION OF FUNDS .--
- (1) COOPERATIVE WORK.--Not less than 15 percent and not more than 25 percent of the funds appropriated for a fiscal year to carry out this subtitle shall be used for cooperative work with the National Weather Service entered into under section 1638(b)(1).
- (2) COMPETITIVE GRANTS PROGRAM.--Not less than 15 percent and not more than 25 percent of such funds shall be used by the Cooperative State Research Service for a competitive grants program under section 1638(c).
- (3) WEATHER INFORMATION SYSTEMS.--Not less than 25 percent and not more than 35 percent of such funds shall be divided equally between the participating States selected for that fiscal year under section 1640.
- (4) OTHER PURPOSES.--The remaining funds shall be allocated for use by the Agricultural Weather Office and the Extension Service in carrying out generally the provisions of this subtitle.
- (b) LIMITATIONS ON USE OF FUNDS.--Funds provided under the authority of this subtitle shall not be used for the construction of facilities. Each State or agency receiving funds shall not use more than 30 percent of such funds for equipment purchases. Any use of the funds in facilitating the distribution of agricultural and climate information to producers shall be done with consideration for the role that the private meteorological sector can play in such information delivery.
- (c) AUTHORIZATION OF APPROPRIATIONS.--There are authorized to be appropriated \$5,000,000 to carry out this subtitle for each of the fiscal years 1991 through 1995.

SUBTITLE E-RESEARCH REGARDING THE PRODUCTION, PREPARATION, PROCESSING, HANDLING, AND STORAGE OF AGRICULTURAL PRODUCTS

SEC. 1644.134 RESEARCH AND GRANT PROGRAM.

- (a) RESEARCH PROGRAM.--The Secretary of Agriculture shall establish a research program to-
- (1) establish a statistical framework to measure microbiological and chemical agents in or affecting agricultural products that seriously undermine product wholesomeness and fitness;
- (2) identify any microbiological or chemical agent under the statistical framework established under paragraph (1); and
- (3) identify the means to avoid microbiological and chemical agents in or affecting agricultural products or to control or reduce such agents, including--
 - (A) developing techniques for the rapid detection and identification of such microbiological and chemical agents;

¹³³ 7 U.S.C. 5855.

¹³⁴ 7 U.S.C. 5871.

- (B) analyzing the production, preparation, processing, handling, storage, and distribution of agricultural products, to determine those points at which intervention could occur to control microbiological or chemical agents in or affecting an agricultural product; and
- (C) research to develop or enhance existing techniques to control microbiological or chemical agents in or affecting an agricultural product, including food irradiation research.
- (b) COMPETITIVE GRANT PROGRAM.--The Secretary of Agriculture may make competitive grants, after consultation with the committee established under section 1645, for periods not to exceed five years, to persons and governmental entities for research to be carried out for any of the activities specified in subsection (a). The Secretary shall require the recipient of any such grant to provide matching funds for such research unless the Secretary determines that the research should be performed notwithstanding the lack of matching funds.
- (c) PROHIBITED USES.--No grant may be made under subsection (b) (or expended by the recipient of such a grant) for the planning, repair, rehabilitation, acquisition, or construction of a building or a facility.
- (d) ELIGIBILITY REQUIREMENTS.--To be eligible to receive a grant under subsection (b), a person or governmental entity shall submit to the Secretary an application that contains--
 - (1) a proposal to carry out research for one or more of the activities specified in subsection (a);
 - (2) an assurance that such person or entity will submit to the Secretary a detailed report of the research conducted with such grant; and
 - (3) such other terms and conditions as the Secretary may require by rule.
 - (e) EFFECT ON OTHER PROGRAMS.--Nothing in this section shall be construed or interpreted-
 - (1) to limit or otherwise affect the research programs of any agency or department of the Federal Government currently conducted or to be conducted under any other statutory authority; or
 - (2) to implement any changes to current production, preparation, processing, handling and storage methods and procedures for agricultural products.
- (f) AGRICULTURAL PRODUCT DEFINED.--For purposes of this section, the term "agricultural product" means the product of an agricultural commodity produced in the United States from a¹³⁵ plant or animal or silvicultural activities, ¹³⁵ or an aquacultural species, including those raised and propagated in a controlled environment.

SEC. 1645. 136 ADVISORY COMMITTEE AND GRANT PROCESS.

(a) ADVISORY COMMITTEE.--The Secretary of Agriculture shall establish a committee to set research priorities for, and evaluate, proposed research projects for which grants under section 1644(b) are requested.

¹³⁵ Construction error. It is unclear whether it is intended that the word "a" be retained or deleted in view of the use of the plural "activities".

^{136 7} U.S.C. 5872.

- (b) MEMBERSHIP.--The committee shall be comprised of 13 members as follows:
- (1) The Secretary or the designee of the Secretary ex officio.
- (2) Two members appointed by the Secretary from among scientists who are employed by colleges, universities, or State agricultural experiment stations and who are specially qualified to serve on the committee by virtue of their demonstrated, generally recognized expertise in food science, microbiology, veterinary medicine, pathology, or any other appropriate scientific discipline.
- (3) Two members appointed by the Secretary from among scientists or public health professionals who are employed by private research organizations or other entities involved in food research and who are specially qualified to serve on the committee by virtue of their demonstrated, generally recognized expertise in food science, microbiology, veterinary medicine, pathology, or any other appropriate scientific discipline.
- (4) Two members appointed by the Secretary from among individuals who are employees of the Federal Government and who are specially qualified to serve on the committee by virtue of their demonstrated, generally recognized expertise in food science, microbiology, veterinary medicine, pathology, or any other appropriate scientific discipline.
- (5) Three members appointed by the Chairman of the Committee on Agriculture of the House of Representatives (in consultation with the ranking minority member of that Committee) from persons who are specially qualified to serve on the committee by virtue of their demonstrated, generally recognized expertise in food science, microbiology, veterinary medicine, pathology, or any other appropriate scientific discipline.
- (6) Three members appointed by the Chairman of the Committee on Agriculture, Nutrition, and Forestry of the Senate (in consultation with the ranking minority member of that Committee) from persons who are specially qualified to serve on the committee by virtue of their demonstrated, generally recognized expertise in food science, microbiology, veterinary medicine, pathology, or any other appropriate scientific discipline.

(c) PUBLIC NOTICE.--

- (1) PROPOSED RESEARCH PRIORITIES.--On receipt of the committee's recommendations with respect to research priorities for grants awarded under section 1644(h), the Secretary shall publish in the Federal Register--
 - (A) the proposed research priorities, and
 - (B) a notice requesting persons and governmental entities to submit written comments on the priorities to the Secretary not later than sixty days after publication of such notice.
- (2) FINAL RESEARCH PRIORITIES.--After review of comments received under paragraph (1), the Secretary shall establish final research priorities by notice in the Federal Register.

(d) REVIEW OF RESEARCH PROPOSALS.--

(1) ROLE OF COMMITTEE.--On receipt of an application submitted under section 1644(b) for research, the Secretary shall refer the research proposal contained in such application to the committee established by this section for its review.

- (2) PEER REVIEW.--To assist the committee in its deliberations, the committee shall establish peer review panels to review the scientific and technical merits of research proposals. The committee shall seek the widest participation of qualified scientists and public health professionals in such panels. The peer review panels shall report their findings and recommendations to the committee.
- (3) CONSULTATION AND COORDINATION.--Both the committee and the peer review panels shall consult and coordinate with other appropriate Federal advisory committees.
- (4) RECOMMENDATIONS.--After due consideration of the review panel comments, the committee shall recommend to the Secretary which grants should be made under this subtitle.
- (e) BASIC AND APPLIED RESEARCH.--In reviewing research proposals received under subsection (d), the committee and the peer review panels shall identify both--
 - (1) proposals for basic research, and
 - (2) proposals for applied research, taking into consideration the practical application of the results of basic research and applied research.
- (f) REVIEW OF COMPLETED PROJECTS.--When a research project is completed, the grant recipient shall forward the results of the project to the committee for its review. The committee shall submit the results to the Secretary along with any recommendations or suggestions of the committee.
- (g) APPLICATION OF THE FEDERAL ADVISORY COMMITTEE ACT.--The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply with respect to the committee or peer review panels established under this section.

SEC. 1646.137 REPORTS TO CONGRESS.

- (a) REPORT ON IMPLEMENTATION.--Not later than one year after the date of the enactment of this Act, the Secretary of Agriculture shall submit to the Committee on Agriculture of the House of Representatives and to the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the implementation of this subtitle.
- (b) REPORTS ON RESEARCH.--For each fiscal year in which funding is provided to carry out this subtitle, the Secretary shall report on the findings of the research for which grants were made during such fiscal year under this subtitle and include in such report any recommendations for implementation of the findings to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

SEC. 1647.¹³⁸ AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION.--There are authorized to be appropriated for each of the fiscal years 1991 through 1995 such sums as may be necessary to carry out this subtitle to be available until expended without fiscal year limitation.

¹³⁷ 7 U.S.C. 5873.

¹³⁸ 7 U.S.C. 5874.

(b) ADMINISTRATIVE EXPENSES.--Not more than four percent of the amount appropriated for a fiscal year under subsection (a) may be expended by the Secretary of Agriculture for administrative costs incurred by the Secretary to carry out this subtitle.

SUBTITLE F-PLANT AND ANIMAL PEST AND DISEASE CONTROL PROGRAM

SEC. 1650.¹³⁹ PLANT AND ANIMAL PEST AND DISEASE CONTROL PROGRAM.

- (a) INTEGRATED PEST MANAGEMENT RESEARCH.--
- (1) PROGRAM REQUIRED.--The Secretary shall undertake or assist in the conduct of research regarding integrated pest management, including research by grant or contract with Federal or State agencies or private industries, institutions, or organizations, as may be necessary to carry out this subtitle. Such research shall include integrated pest management research to benefit floriculture.
- (2) IMPLEMENTATION.--Implementation of integrated pest management strategies shall be conducted through the Extension Service.
- (b) EFFECT ON OTHER LAWS.--Nothing in this Act shall be construed as limiting or repealing the authority of the Administrator of the Environmental Protection Agency to conduct research regarding integrated pest management under section 20(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136r(a)).
- (c) INTEGRATED PEST MANAGEMENT DEFINED,--For purposes of this section, the term "integrated pest management" means a pest or disease population management system that uses all suitable techniques, such as biological and cultural controls as well as pesticides, in a total production system to anticipate and prevent pests and diseases from reaching economically damaging levels.

SEC. 1651.¹⁴⁰ PEST AND DISEASE CONTROL DATA BASE AND PESTICIDE RESISTANCE MONITORING.

- (a) DATA BASE REQUIRED.--The Secretary of Agriculture shall establish and maintain a data base on available materials and methods of pest and disease control available to agricultural producers. The data base required by this subsection shall include a listing (by crop, animal, and pest or disease) of information--
 - (1) on currently available materials or methods of chemical, biological, cultural, or other means of controlling plant and animal pests and diseases; and
 - (2) on the extent of pest or disease resistance developed under the monitoring required by subsection (d).
- (b) PRIORITIES FOR RESEARCH AND EXTENSION ACTIVITIES.--When the information in the data base established under subsection (a) indicates a shortage of available pest or disease control materials or methods to protect a particular crop or animal, the Secretary of Agriculture shall set priorities designed to overcome this shortage in its pest and disease control research and extension programs conducted under this subtitle.

¹³⁹ 7 U.S.C. 5881.

¹⁴⁰ 7 U.S.C. 5882.

- (c) DISSEMINATION OF INFORMATION IN THE DATA BASE.--The Secretary of Agriculture shall--
 - (1) make the information contained in the data base established under subsection (a) available through the National Agricultural Library; and
 - (2) provide such information on an annual basis to the Administrator of the Environmental Protection Agency in support of the activities of that Agency under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.).
- (d) PESTICIDE RESISTANCE MONITORING.--The Secretary of Agriculture shall establish a national pesticide resistance monitoring program in accordance with the report developed by the Secretary under section 1437 of the Food Security Act of 1985 (Public Law 99-198; 99 Stat. 1558).
- (e) PESTICIDE DEFINED.--For purposes of this section and section 1652, the term "pesticide" shall have the same meaning as given that term in section 2(u) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136(u)).

SEC. 1652.141 RESEARCH ON EXOTIC PESTS.

- (a) PURPOSE.--The purpose of this section is to expand the research capacity of the Department of Agriculture and State cooperative institutions in the control and eradication of exotic pests.
- (b) RESEARCH PROGRAM.--The Secretary of Agriculture shall expand ongoing research and grant programs designed to control infestations of exotic pests. Expanded research and grant programs shall include--
 - (1) improvement of existing methods of pest control, including sterile insect release, and development of safer pesticides, including pheromones;¹⁴² and
 - (2) expansion of research capacity to develop new methods of pest control, including containment of pests for research purposes.

SEC. 1653.¹⁴³ STUDY OF THE BIOLOGY AND BEHAVIOR OF CHINCH BUGS, INCLUDING FACTORS LEADING TO CROP LOSS AND DEVELOPMENT OF IMPROVED MANAGEMENT PRACTICES.

The Secretary of Agriculture shall establish a research and education program to study the biology and behavior of chinch bugs. The purpose of this study shall be--

- (1) to characterize the relationship between environmental and climatic factors and chinch bug outbreaks in an attempt to predict when these outbreaks occur;
- (2) to determine chinch bug dispersal habits, overwintering habitat preferences, and overwintering survival in native and introduced grasses;

¹⁴¹ 7 U.S.C. 5883.

¹⁴² Misspelled in original as "pheremones".

¹⁴³ 7 U.S.C. 5884.

- (3) to describe the population dynamics of chinch bugs in small grain and noncrop grass hosts in the spring and assess yield losses in small grain crop hosts; and
- (4) to investigate various aspects of chinch bug behavior (including host habitat preferences, oviposition, and pheromones) that may result in the development of novel management strategies.

SEC. 1654.144 AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this subtitle.

SUBTITLE G-ALTERNATIVE AGRICULTURAL RESEARCH AND COMMERCIALIZATION

SEC. 1657.145 SHORT TITLE, PURPOSES, AND DEFINITIONS.

- (a) SHORT TITLE.--This subtitle may be cited as the "Alternative Agricultural Research and Commercialization Act of 1990".
- (b) PURPOSE.--Through the encouragement of and the provision of assistance to agricultural research, development, and commercialization, it is the purpose of this subtitle--
 - (1) to authorize research in modification of agricultural commodities, and associated research, in order to develop and produce marketable products other than food, feed, or traditional forest or fiber products;
 - (2) to commercialize new nonfood, nonfeed uses for traditional and new agricultural commodities in order to create jobs, enhance the economic development of the rural economy, and diversify markets for raw agricultural and forestry products;
 - (3) to encourage cooperative development and marketing efforts among manufacturers, financiers, universities, and private and government laboratories in order to assist the commercialization of new nonfood, nonfeed uses for agricultural and forestry products;
 - (4) to direct, to the maximum extent possible, research and commercialization efforts toward the production of new nonfood, nonfeed products from agricultural commodities that can be raised by family-sized agricultural producers; and
 - (5) to foster economic development in rural areas of the United States through the introduction of new nonfood, nonfeed products obtained from agricultural commodities.
 - (c) DEFINITIONS.--For purposes of this subtitle:
 - (1) The term "agricultural commodity" means a plant or animal species (including a species propagated or raised in a controlled environment or a tree species) and the products derived from that species.

¹⁴⁴ 7 U.S.C. 5885.

^{145 7} U.S.C. 5901.

- (2) The term "alternative agricultural product" means a new use, application, or material that--
 - (A) is derived from an agricultural commodity; and
 - (B) is not in widespread commercial use and is not expected to significantly displace a use, application, or material derived from an agricultural commodity that already is in widespread commercial use.
- (3) The term "Board" means the Alternative Agricultural Research and Commercialization Board.
- (4) The term "Center" means the Alternative Agricultural Research and Commercialization Center.
- (5) The term "commercialization" or "commercialize" includes--
 - (A) activities associated with the development of alternative agricultural products or industrial plants;
 - (B) the application of technology and techniques to the development of industrial products and alternative agricultural products; and
 - (C) the market development of new nonfood, nonfeed uses of new and traditional agricultural commodities and processes that will lead to the creation of goods and services that may be marketed for profit.
- (6) The term "Fund" means the Alternative Agricultural Research and Commercialization Revolving Fund.
 - (7) The term "host institution" means an existing entity that is located in the region that is-
 - (A) a university or other institution of higher education;
 - (B) a Department of Agriculture laboratory;
 - (C) a State agricultural experiment station;
 - (D) a State cooperative extension service facility; or
 - (E) another organization that is involved in the development or commercialization of new nonfood, nonfeed uses for agricultural commodities, or is involved in rural economic development.
- (8) The term "new nonfood, nonfeed product development" means targeted research, including fundamental and applied research, concerning--
 - (A) the production and processing of agricultural commodities for the purposes of developing new nonfood, nonfeed products;
 - (B) the uses of new nonfood, nonfeed products; and
 - (C) steps necessary to make a nonfood, nonfeed product available for the marketplace.

- (9) The term "new nonfood, nonfeed product" means an item that is primarily not a food, feed, or traditional forest or fiber product, including an item that exists but is not commercially available from an agricultural commodity.
 - (10) The term "nonprofit organization" means an organization that is--
 - (A) described in section 501(c) of the Internal Revenue Code of 1986; and
 - (B) exempt from taxation under section 501(a) of such Code.
 - (11) The term "Secretary" means the Secretary of Agriculture.
- (12) The term "traditional forest or fiber product" means a forest or fiber product that is derived from forest or agricultural materials and does not have substantial new properties.

SEC. 1658.146 ALTERNATIVE AGRICULTURAL RESEARCH AND COMMERCIALIZATION CENTER.

- (a) ESTABLISHMENT.--The Secretary of Agriculture shall establish an Alternative Agricultural Research and Commercialization Center to carry out the purpose of this subtitle. The Center shall be operated as an independent entity within the Department of Agriculture under the general supervision and policy control of the Secretary.
 - (b) FUNCTIONS.--The Center shall have the authority to--
 - (1) make grants to, and enter into cooperative agreements and contracts with, eligible applicants for research, development, and demonstration projects in accordance with section 1660;
 - (2) make loans and interest subsidy payments and invest venture capital in accordance with section 1661;
 - (3) collect and disseminate information about State, regional, and local commercialization projects;
 - (4) search for new nonfood, nonfeed products that may be produced from agricultural commodities and for processes to produce such products;
 - (5) administer, maintain, and dispense funds from the Alternative Agricultural Research and Commercialization Revolving Fund to facilitate the conduct of activities under this subtitle; and
 - (6) engage in other activities incident to carrying out its functions.
- (c) DIRECTOR.--The Center shall be headed by a Director, who shall be appointed by the Board and approved by the Secretary of Agriculture. The Director shall receive basic pay at the rate provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code. The Director shall be appointed for a term of five years, subject to removal by the Board before the end of that term.
- (d) RESPONSIBILITIES OF THE DIRECTOR.--Subject to the general supervision of the Board, the Director shall be responsible for the overall management of the Center and the implementation of general policies respecting the management and operation of programs and activities of the Center. In carrying out such responsibilities on behalf of the Center, the Director shall--

¹⁴⁶ 7 U.S.C. 5902.

- (1) provide for appropriate peer review of--
 - (A) applications for grants, contracts, and cooperative agreements submitted under section 1660 and applications for financial assistance submitted under section 1661;
 - (B) the conduct of research for which assistance is provided by the Center; and
 - (C) research findings or reports resulting from grants, contracts, and cooperative agreements administered by the Center as the Board determines necessary;
- (2) require, where appropriate, licensing and patent agreements, copyright fees, royalties, or other fee arrangements on the sales of products, new uses, applications technologies, or processes developed through assistance provided through a grant made, contract or cooperative agreement entered into, or other assistance provided, under this subtitle;[.]¹⁴⁷
- (3) take appropriate action to ensure that all channels for the dissemination and exchange of agricultural products and processes research are maintained between the Center and other agricultural, scientific, and business entities.[; and]³⁵
- (e) STAFF.--Upon the request of the Director, the Secretary may detail, on a reimbursable basis, any of the personnel of the Department of Agriculture to assist the Director in carrying out the duties of the Director.
- (f) EXPERTS AND CONSULTANTS.--The Director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.
- SEC. 1659. 148 ALTERNATIVE AGRICULTURAL RESEARCH AND COMMERCIALIZATION BOARD.
- (a) ESTABLISHMENT OF BOARD.--The Secretary shall establish the Alternative Agricultural Research and Commercialization Board.
 - (b) MEMBERS,--The Board shall consist of nine members appointed by the Secretary as follows:
 - (1) One member who shall be an employee of the Department of Agriculture.
 - (2) Four members, of whom--
 - (A) at least one shall be a representative of the leading scientific disciplines relevant to the activities of the Center;
 - (B) at least one shall be a producer or processor of agricultural commodities; and
 - (C) at least one shall be a person who is privately engaged in the commercialization of new nonfood, nonfeed products from agricultural commodities.

¹⁴⁷ So in original; construction error.

¹⁴⁸ 7 U.S.C. 5903.

(3) Two members who--

- (A) have expertise in areas of applied research relating to the development or commercialization of new nonfood, nonfeed products; and
- (B) shall be appointed from a group of at least four persons nominated by the Director of the National Science Foundation if such nominations are made within 60 days after the date a vacancy occurs.

(4) Two members who--

- (A) have expertise in financial and managerial matters; and
- (B) shall be appointed from a group of at least four persons nominated by the Secretary of Commerce if such nominations are made within 60 days after the date a vacancy occurs.

(c) RESPONSIBILITIES .-- The Board shall--

- (1) be responsible for the general supervision and policy control of the Center and Regional Centers;
- (2) determine (in consultation with the advisory council appointed under section 1661 and those Regional Centers established under section 1663) high priority commercialization areas to receive assistance under that section;
- (3) review any grant, contract, or cooperative agreement to be made by the Center under section 1660 and any financial assistance to be provided under section 1661;
- (4) make the final decision, by majority vote, on whether and how to provide assistance to an applicant;
- (5) establish program policy, objectives, research and development, and commercialization priorities to implement this subtitle, through a process of public hearings to be initiated as soon as practicable after the establishment of the Board; and
- (6) using the results of such hearings and other information and data collected under paragraph (5), develop and establish a budget plan and a long-term operating plan to implement this subtitle.
- (d) MEETINGS.--The Board shall meet at the call of the chairperson or at the request of the Director, but at least three times each fiscal year. The location of the meetings of the Board shall be subject to the approval of the Director. A quorum of the Board shall consist of a majority of the members of the Board. The decisions of the Board shall be made by majority vote.
- (e) TERM; VACANCIES.--The term of office of a member of the Board shall be four years, except that the members initially appointed shall be appointed to serve staggered terms. A member appointed to fill a vacancy for an unexpired term may be appointed only for the remainder of such term. A vacancy on the Board shall be filled in the same manner as the original appointment.
- (f) CHAIRPERSON.--The members of the Board shall select a chairperson from among the members. The term of office of the chairperson shall be two years. The member appointed under subsection (b)(1) may not serve as chairperson.

- (g) COMMITTEES.--The Board may establish one or more temporary committees with agricultural, scientific, technical, or other expertise, whose duties shall be to provide information, analysis, and recommendations, at the request and direction of the Board, on scientific, technological, policy, and other matters, as determined necessary by the Board.
- (h) COMPENSATION.--Members of the Board who are officers or employees of the United States shall not receive any additional compensation by reason of service on the Board. Other members of the Board shall receive, for each day (including travel time) they are engaged in the performance of the functions of the Board, compensation at a rate not to exceed the daily equivalent of the annual rate in effect for grade GS-18 of the General Schedule. All members of the Board shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties.

(i) RESTRICTIONS.--

- (1) CONFLICT OF INTEREST.--Except as provided in paragraph (3), no member of the Board shall vote on any matter respecting any application, contract, claim, or other particular matter pending before the Center, in which, to the knowledge of the member, such member, spouse or child of such member, partner or organization in which such member is serving as officer, director, trustee, partner, or employee, or any person or organization with whom such member is negotiating or has any arrangement concerning prospective employment, has a financial interest.
- (2) VIOLATIONS.--Action by a member of the Board that is contrary to the prohibition contained in paragraph (1) shall be cause for removal of such member, but shall not impair or otherwise affect the validity of any otherwise lawful action by the Center in which the member or officer participated.
- (3) EXCEPTIONS.--The prohibitions contained in paragraph (1) shall not apply if a member of the Board advises the Board of the nature of the particular matter in which such member proposes to participate in, and if such member makes a full disclosure of such financial interest, prior to any participation, and the Board determines, by majority vote, that the financial interest is too remote or too inconsequential to affect the integrity of such member's services to the Center in that matter. The member involved shall not participate in such determination.
- (j) AUTHORITY OF THE SECRETARY.--Any final decision made under subsection (c) may be vetoed by the Secretary, and the Secretary shall inform the Board of the reasons for such veto.

SEC. 1660.149 RESEARCH AND DEVELOPMENT GRANTS, CONTRACTS, AND AGREEMENTS.

- (a) ELIGIBILITY.--All public and private educational institutions, other public and private research institutions and organizations, Federal agencies, and individuals shall be eligible to receive a grant from, or enter into a contract or cooperative agreement with, the Center for a research, development, or demonstration project, as provided in this section.
- (b) COMPETITIVE BASIS FOR AWARDS.--Grants made, and contracts and cooperative agreements entered into, under this section shall be selected on a competitive basis on the recommendation of a peer review system to be established by the Center. Such system shall contain peer review expertise in commercial production, product development, processing, and marketing of agricultural commodities as well as in scientific research.

¹⁴⁹ 7 U.S.C. 5904.

- (c) SELECTION CRITERIA.--The Board may select a research, development, or demonstration project to receive a grant, contract, or cooperative agreement under this section based on the likelihood that the project will result in creating or improving economically viable commercial nonfood, nonfeed products, applications, processes, or technologies that involve the use of raw or processed agricultural commodities. The criteria to be considered may include the following:
 - (1) the prospect of developing technologies that could make it possible to use or modify existing agricultural commodities to provide an economically viable quantity of new nonfood, nonfeed products;
 - (2) the potential market size of the new nonfood, nonfeed product, the likely time period needed to bring the product into the stream of commerce for general use, and the likely availability of the agricultural commodity used to produce the product;
 - (3) the potential for job creation in an economically distressed rural area;
 - (4) the anticipated State or local participation;
 - (5) the anticipated financial participation of private entities;
 - (6) the likely impact on reducing Federal crop subsidies and other Federal agricultural assistance program costs;
 - (7) the unavailability of adequate funding from other sources;
 - (8) the likely positive impact on resource conservation and the environment; and
 - (9) the likely positive effect of helping family-sized farmers and rural communities near the affected agricultural and forested areas.
 - (d) SET-ASIDE OF FUNDS FOR CERTAIN PROJECTS.--
 - (1) IN GENERAL.--Not less than two-thirds of the funds obligated each fiscal year for grants, contracts, and cooperative agreements under this section shall be awarded only for research, development, and demonstration projects for which the applicant--
 - (A) has committed substantial funding and support from its own resources; and
 - (B) has entered into a cooperative agreement or other contractual arrangement with a commercial company domiciled in the United States that commits such company to--
 - (i) provide funds for at least 20 percent of the total cost of such project; and
 - (ii) engage in commercial production and sale of the marketable products, processes, uses, applications, or technologies developed through the project, under appropriate licensing, royalty, or other agreements.
 - (2) ANIMAL SOURCES.--Not more than 25 percent of the funds obligated each fiscal year for grants, contracts, and cooperative agreements under this section shall be awarded only for projects concerning new nonfood, nonfeed products derived from animal sources.

- (e) LIMITATION ON FUNDS PROVIDED.--Funds committed by the Center for any project under a grant, contract, or cooperative agreement under this section shall in no case exceed two-thirds of the total cost of the project.
- (f) PREFERENCE.--In selecting projects to receive funds, the Center may give preference to those projects for which the ratio of Center funds to non-Center funds would be lowest.

SEC. 1661.150 COMMERCIALIZATION ASSISTANCE.

- (a) ASSISTANCE AUTHORIZED.--The Center, at the discretion of the Board, may provide to entities described in subsection (b) for projects commercializing new nonfood, nonfeed products using agricultural commodities, financial assistance in the form of--
 - (1) loans made or insured by the Center;
 - (2) interest subsidy payments made by the Center (pursuant to an agreement between the Center, the lender, and the borrower) to the lender in amounts determined pursuant to the agreement;
 - (3) venture capital invested by the Center in the form of a convertible debenture; and
 - (4) repayable grants that are matched by private or local public funds and that are repaid as agreed in a contract between the Center and the entity.
- (b) ELIGIBLE ENTITIES.--To obtain financial assistance for commercialization of nonfood, nonfeed products from the Center, an entity shall be a university or other institution of higher education, a nonprofit organization, a cooperative, or a business concern.
- (c) ADVISORY COUNCIL.--The Board shall appoint an Advisory Council to advise the Board and Regional Centers concerning all applications for assistance submitted under this section. The conflict of interest provisions of subsection (i) of section 1659 shall apply to the Advisory Council. In appointing members of the Advisory Council, the Board shall ensure regional participation on the Advisory Council. The Advisory Council shall--
 - (1) review (or coordinate the review of) the technical, engineering, financial, and managerial soundness and marketing potential of the applications;
 - (2) by majority vote, make a nonbinding recommendation on each application submitted under this section;
 - (3) monitor the progress of ongoing projects and provide technical and business counseling as needed;
 - (4) monitor the operation of the Regional Centers; and
 - (5) provide technical and business counseling to entities that are not seeking financial assistance from the Center, but which are engaged in commercializing nonfood, nonfeed uses of agricultural commodities.

^{150 7} U.S.C. 5905.

(d) APPLICATION REQUIREMENTS .--

- (1) FILED WITH DIRECTOR.--To obtain financial assistance from the Center under this section, an eligible entity shall file an application with the Director.
 - (2) CONTENTS.--An application submitted to the Director under paragraph (1) shall--
 - (A) describe the proposal of the entity for the commercialization of a new product consistent with this section, including documentation that such proposal is--
 - (i) scientifically sound;
 - (ii) technologically feasible; and
 - (iii) marketable;
 - (B) provide documentation that adequate private sector funding is not available, but that the applicant has the ability to obtain matching funds from the public or private sectors;
 - (C) provide documentation that the applicant has invested in the project a significant amount of the applicant's own resources, including time and money;
 - (D) provide documentation that the product or process has broad application and has the potential to be commercially viable without continual assistance;
 - (E) provide documentation that the proposal has broad participation by representatives of the public sector, the financial community, the private business community, State and local governments, educational institutions, the farm community, the science and engineering communities;
 - (F) provide documentation that an established relationship exists between the applicant and other entities to give the applicant access to private business assistance;
 - (G) provide assurances of legal compliance by the applicant with the terms and conditions of the receipt of assistance under this section; and
 - (H) provide assurances that the project will result in the creation of new jobs in rural communities.
- (e) PRIORITIES.--The Board shall give priority to--
 - (1) applications that shall create jobs in economically distressed rural areas;
 - (2) applications that have State or local government financial participation; and
 - (3) applications that have private financial participation.
- (f) ADDITIONAL CRITERIA.--The Board shall establish additional criteria for use in selecting among equivalent applications. Such criteria shall emphasize--
 - (1) the quantity and quality of jobs that are likely to be created in rural communities;

- (2) the amount of the financial participation by State or local governments or private entities;
- (3) the qualifications of the management to be used in the project;
- (4) the potential market demand for the potential product to be marketed proportional to the financial assistance requested; and
- (5) the likely level of returns to the Fund and the items described in paragraphs (2), (6), (8), and (9) of section 1660(c).

SEC. 1662.151 GENERAL RULES REGARDING THE PROVISION OF ASSISTANCE.

- (a) NOTICE OF RECEIPT OF APPLICATIONS.--Not later than 30 days before the start of each period established by the Board for receipt of applications for financial assistance under section 1660 or 1661, the Board shall publish in the Federal Register a notice that it will receive such applications.
- (b) MONITORING.--The Board shall monitor the progress of projects that receive financial assistance under this subtitle. Such monitoring may include on-site reviews by representatives of the Board, a Regional Center, or the Advisory Council, the requirement of written reports by recipients of assistance, and supportive business and technical counseling as needed by the recipient. The Board may use the Advisory Council appointed under section 1661 to assist in such monitoring.

(c) AUDITING AND ACCOUNTABILITY .--

- (1) REQUIRED.--The Board shall establish a thorough and effective system of auditing and accountability to ensure that funds paid under section 1660 or 1661 are used by recipients only for the purposes for which those funds are provided by the Center.
- (2) DEMONSTRATED COMPLIANCE.--The Board may require that recipients of financial assistance demonstrate that the use of financial assistance is in compliance with the agreement by which that assistance is provided.
- (d) INFORMATION EXEMPT FROM DISCLOSURE.--With respect to research, development, demonstration, or commercialization projects carried out with the participation of private research institutions or commercial companies, information received by the Center incident thereto shall be exempt from disclosure under section 552 of title 5, United States Code, and shall not be made available publicly except--
 - (1) with the approval of the person providing the information; or
 - (2) in a judicial or administrative proceeding in which such information is subject to protective order.
- (e) OVERHEAD AND ADMINISTRATIVE COSTS.--The Board shall require that applications or responses to requests for proposals issued by the Center for grants, contracts, or cooperative agreements include detailed estimates of project overhead and administrative costs. In selecting such applications or proposals for awards, the Center shall give preference to those with the lowest effective costs.

¹⁵¹ 7 U.S.C. 5906.

(f) PROHIBITION ON CERTAIN USES OF ASSISTANCE.--No grant may be awarded, or contract or cooperative agreement entered into under this subtitle, for the acquisition or construction of a building or a facility.

(g) REPORTS .--

- (1) PREPARATION.--As soon as practicable after the end of each fiscal year, the Board shall prepare and submit to the Secretary a report on the activities, progress, and accomplishments of the Center during such fiscal year. The report shall include--
 - (A) a description of the progress, activities, and accomplishments of the Center during that fiscal year and the expenditures by the Center for its information and other service activities; and
 - (B) a copy of the operating plan prepared by the Board under section 1659(c)(6).
- (2) TRANSMITTAL.--The Secretary shall transmit each report received under paragraph (1) to the President and Congress not later than 30 days after the date on which the Secretary receives the report.

SEC. 1663.¹⁵² REGIONAL CENTERS.

(a) ESTABLISHMENT .--

- (1) REQUIRED.--Except as provided in paragraph (2), the Board shall establish not less than two nor more than six Regional Centers to carry out the activities specified in this section and such other activities as the Board shall from time to time specify.
- (2) EXCEPTION.--A Regional Center may not be established or operated in a fiscal year unless at least \$5,000,000 has been appropriated for that fiscal year to carry out this subtitle.

(b) METHOD OF ESTABLISHMENT.--

- (1) REGIONAL BASIS.--Each Regional Center established under this section shall be located at a host institution. The Regional Centers shall be established in different States to reflect the different regional climatic conditions and rural economic stresses in the United States.
- (2) COMPETITION.--An organization that desires to be selected as a host institution for a Regional Center shall submit an application to the Board. The Board shall determine the location of the Regional Centers based on a competitive review of the contents of such applications and shall consider the ability of the applicant to carry out the activities specified in this section.

(c) MATCHING OF FUNDS.--

(1) ASSURANCES OF APPLICANTS.--Each institution submitting an application for a Regional Center under this section shall provide assurances--

¹⁵² 7 U.S.C. 5907.

- (A) that adequate funds or in-kind support (including office space, equipment and staff support) shall be provided to match the amount of funds used or administrative costs that are provided by the Federal Government under this subtitle;
- (B) that the institution is qualified to carry out the activities required of a Regional Center; and
 - (C) concerning such other matters as the Board determines appropriate.
- (2) CONSORTIUM.--The matching funds required under paragraph (1) may be provided by a consortia that may include the host institution and other public or private entities existing within various regions of the United States, including State and local governments, entities created by State and local governments, charitable organizations, public and private universities and other institutions of higher education, cooperatives, and economic development organizations.
- (d) DIRECTOR .-- Each Regional Center shall be headed by a full-time Regional Director who shall-
 - (1) be selected by the Board; and
- (2) have a scientific or engineering background or have experience in the development of new products or processes in the public or private sector.
- (e) ACTIVITIES.--Each Regional Center shall--
- (1) encourage interaction among the private and Federal laboratories, National Science Foundation centers, Department of Agriculture research programs, other Federal resources, State and local regional economic development programs, universities, colleges, the private sector, and the financial community, for the purpose of evaluating and commercializing new nonfood, nonfeed uses of agricultural commodities;
- (2) identify broad areas where commercialization of new nonfood, nonfeed products and processes can contribute to economic growth in rural areas of the United States, through the development of new nonfood, nonfeed uses for agricultural commodities by private companies and businesses;
- (3) provide technical assistance and related business and financial counseling for small domestic businesses to commercialize new nonfood, nonfeed uses of agricultural commodities;
 - (4) identify new nonfood, nonfeed products and processes that are worthy of financial assistance;
- (5) make use of existing programs in scientific, engineering, technical, and management education that will support the accelerated commercialization of new nonfood, nonfeed products and processes using agricultural commodities;
- (6) advise the Board on the viability of specific applications submitted for financial assistance and on the type of assistance, if any, to be provided;
 - (7) coordinate their activities with the Small Business Development Centers; and
 - (8) coordinate their activities with the Center.

(f) REVIEW OF PROPOSALS FOR ASSISTANCE.--

- (1) SUBMISSION TO REGIONAL CENTER.--If a Regional Center is established that includes the area in which a person applying for assistance under this subtitle is located, that person shall submit the application to the Regional Center for review.
- (2) REVIEW.--The Directors of the Regional Centers shall work in consultation with the Advisory Council appointed under section 1661(c) to obtain peer review and evaluation of applications submitted to the Regional Centers.
- (3) ROLE OF ADVISORY COUNCIL.--The Advisory Council shall review applications submitted to the Regional Centers. The Advisory Council shall, by majority vote, make a nonbinding recommendation on each proposal to the appropriate Regional Director.
- (4) RECOMMENDATION.--The Regional Director, after consideration of the Advisory Council's recommendation and based on the comments of the reviewers, shall make and submit a recommendation to the Board along with the recommendation of the Advisory Council. A recommendation submitted by a Regional Director or the Advisory Council shall not be binding on the Board.

SEC. 1664.¹⁵³ ALTERNATIVE AGRICULTURAL RESEARCH AND COMMERCIALIZATION REVOLVING FUND.

- (a) ESTABLISHMENT.--There is established in the Treasury of the United States a revolving fund to be known as the Alternative Agricultural Research and Commercialization Revolving Fund. The Fund shall be available to the Center, without fiscal year limitation, to carry out the authorized programs and activities of the Center under this subtitle.
 - (b) CONTENTS OF FUND .-- There shall be deposited in the Fund--
 - (1) such amounts as may be appropriated or transferred to support the programs and activities of the Center;
 - (2) payments received from any source for products, services, or property furnished in connection with the activities of the Center:
 - (3) fees and royalties collected by the Center from licensing or other arrangements relating to commercialization of products developed through projects funded in whole or part by grants, contracts, or cooperative agreements executed by the Center;
 - (4) donations or contributions accepted by the Center to support authorized programs and activities; and
 - (5) any other funds acquired by the Center.
- (c) FUNDING ALLOCATIONS.--Funding of projects and activities under this subitle shall be subject to the following restrictions:
 - (1) Of the total amount of funds made available for a fiscal year under this subtitle-

^{153 7} U.S.C. 5908.

- (A) not more than 5 percent may be set aside to be used for authorized administrative expenses of the Center in carrying out its functions;
- (B) not more than 5 percent may be set aside to be used for information collection and dissemination and technology transfer programs authorized in this subtitle; and
- (C) not less than 85 percent shall be set aside to be awarded to qualified applicants who file project applications with, or respond to requests for proposals from, the Center under sections 1660 and 1661.
- (2) Any funds remaining uncommitted at the end of a fiscal year shall be credited to the Fund and added to the total program funds available to the Center for the next fiscal year.
- (d) TERMINATION OF THE FUND.--On expiration of the provisions of this subtitle, all assets (after payment of all outstanding obligations) of the Fund shall revert to the general fund of the Treasury.
- (e) AUTHORIZATION OF APPROPRIATIONS.--There are authorized to be appropriated to the Fund--
 - (1) \$10,000,000 for fiscal year 1991;
 - (2) \$20,000,000 for fiscal year 1992;
 - (3) \$30,000,000 for fiscal year 1993;
 - (4) \$50,000,000 for fiscal year 1994; and
 - (5) \$75,000,000 for each of the fiscal years 1995 through 2000.

SUBTITLE H-MISCELLANEOUS RESEARCH PROVISIONS

SEC. 1668.¹⁵⁴ BIOTECHNOLOGY RISK ASSESSMENT RESEARCH.

- (a) PURPOSE.--It is the purpose of this section to--
- (1) authorize and support environmental assessment research to the extent necessary to help address general concerns about environmental effects of biotechnology; and
- (2) authorize research to help regulators develop policies, as soon as practicable, concerning the introduction into the environment of such technology.
- (b) GRANT PROGRAM.--The Secretary of Agriculture shall establish a grant program within the Cooperative State Research Service and the Agricultural Research Service to provide the necessary funding for environmental assessment research concerning the introduction of genetically engineered organisms into the environment.
- (c) TYPES OF RESEARCH.--Types of research for which grants may be made under this section shall include the following:

^{154 7} U.S.C. 5921.

- (1) Research designed to develop methods to physically and biologically contain genetically engineered animals, plants, and microorganisms once they are introduced into the environment.
- (2) Research designed to develop methods to monitor the dispersal of genetically engineered animals, plants, and microorganisms.
- (3) Research designed to further existing knowledge with respect to the rates and methods of gene transfer that may occur between genetically engineered organisms and related wild and agricultural organisms.
 - (4) Other areas of research designed to further the purposes of this section.
- (d) ELIGIBILITY REQUIREMENTS .-- Grants under this section shall be--
 - (1) made on the basis of the quality of the proposed research project; and
- (2) available to any public or private research or educational institution or organization.
- (e) CONSULTATION.--In considering specific areas of research for funding under this section, the Secretary of Agriculture shall consult with the Administrator of the Animal and Plant Health Inspection Service, the Office of Agricultural Biotechnology, and the Agricultural Biotechnology Research Advisory Committee.
- (f) PROGRAM COORDINATION.--The Secretary of Agriculture shall coordinate research funded under this section with the Office of Research and Development of the Environmental Protection Agency in order to avoid duplication of research activities.
 - (g) AUTHORIZATION OF APPROPRIATIONS.--
 - (1) IN GENERAL.--There are authorized to be appropriated such sums as necessary to carry out this section.
 - (2) WITHHOLDINGS¹⁵⁵ FROM BIOTECHNOLOGY OUTLAYS.--The Secretary of Agriculture shall withhold from outlays of the Department of Agriculture for research on biotechnology, as defined and determined by the Secretary, at least one percent of such amount for the purpose of making grants under this section for research on biotechnology risk assessment.

SEC. 1669.156 GRADUATE SCHOOL OF THE DEPARTMENT OF AGRICULTURE.

(a) TRAINING SERVICES.--Notwithstanding any other provision of law, the head of a Federal agency or major organizational unit within any agency, including agencies and offices within the Department of Agriculture, may place an order (or enter into an agreement) with the Graduate School of the Department of Agriculture under the provisions of section 1535 of title 31, United States Code, for training and other services incidental to the provision of such training.

¹⁵⁵ Misspelled in original as "WITHOLDINGS".

^{156 7} U.S.C. 5922.

- (b) GOODS OR SERVICES.--The Graduate School may obtain any goods or services necessary to the fulfillment of an order under subsection (a) or its obligations under such agreement without regard to the requirements of--
 - (1) the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.); or
 - (2) any other law that prescribes procedures for the procurement of property or services by an executive agency.
- (c) AUDITS OF RECORDS.--The financial records of the Graduate School relating to orders or agreements under subsection (a) shall be made available to the Comptroller General for purposes of conducting an audit.
 - (d) DEFINITIONS.--For purposes of this section:
 - (1) The term "Graduate School" means the Graduate School of the Department of Agriculture.
 - (2) The term "training" has the meaning given that term in section 4101(4) of title 5, United States Code.

SEC. 1670.157 LIVESTOCK PRODUCT SAFETY AND INSPECTION PROGRAM.

- (a) ESTABLISHMENT.--The Assistant Secretary for Science and Education, acting through the Cooperative State Research Service special grants program, may provide assistance to eligible entities to encourage and assist efforts made by research institutions to improve the efficiency and effectiveness of safety and inspection systems for livestock products.
- (b) ELIGIBLE ENTITIES.--To be eligible to receive assistance under this section, an entity shall be a land-grant college or university or any other college or university which demonstrates capability in the agriculture sciences, an individual research institution, or a consortia of such institutions.

(c) CONTRIBUTION BY ENTITY.--

- (1) REQUIREMENT.--To be eligible to receive assistance under this section, an entity shall agree that such entity will, with respect to the costs to be incurred by the entity in conducting the research for which the assistance is provided, make available (directly or through donations) non-Federal contributions toward such costs in an amount equal to 50 percent of such costs.
- (2) NON-FEDERAL CONTRIBUTIONS.--Non-Federal contributions required under paragraph (1) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such non-Federal contributions.
- (d) ADMINISTRATION.--In providing assistance under this section, the Assistant Secretary for Science and Education shall to the extent practicable ensure that the amount of such assistance is provided equally to eligible entities representing the beef, pork, lamb, poultry, and aquaculture¹⁵⁸ industries.

¹⁵⁷ 7 U.S.C. 5923.

¹⁵⁸ Misspelled in original "acquaculture".

(e) AUTHORIZATION OF APPROPRIATIONS.--There are authorized to be appropriated to carry out this section, such sums as necessary for each of the fiscal years 1991 through 1995.

SEC. 1671.¹⁵⁹ PLANT GENOME MAPPING PROGRAM.

- (a) PROGRAM REQUIRED.--The Secretary of Agriculture (hereinafter in this section referred to as the "Secretary") shall conduct a research program for the purpose of--
 - (1) supporting basic and applied research and technology development in the area of plant genome structure and function;
 - (2) providing United States leadership in biotechnology; and
 - (3) providing crop varieties that may be cultivated profitably without negatively impacting the environment.
- (b) COMPETITIVE GRANTS.--The Secretary may make competitive grants, for periods not to exceed five years, to State agricultural experiment stations, all colleges and universities, other research institutions and organizations, Federal agencies, private organizations or corporations, and individuals for research projects in the research areas identified in subsection (c).
- (c) RESEARCH AREAS.--Grants available under subsection (b) shall be awarded in the following research areas:
 - (1) Construction of plant genome maps.
 - (2) Identification, characterization, transfer, and expression of genes of agricultural importance.
 - (3) Technology development in the areas of plant genome mapping, sequencing, gene transfer, and data management.
 - (4) Research on microorganisms associated with plants, such as plant pathogens and plant symbionts.
- (d) PLAN FOR MAKING GRANTS.--Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the Congress a detailed plan for awarding grants under this section.
- (e) COORDINATION OF EFFORTS.--The Secretary shall coordinate activities under this section with related activities sponsored by the National Science Foundation, the National Institutes of Health, the Department of Energy, and the Department of Commerce.
- (f) PROPRIETARY INTERESTS.--The Secretary shall require (when the Secretary considers it to be appropriate) licensing and patent agreements, copyright fees, royalties, or other fee arrangements on the sales of products and new uses, applications, technologies, or processes developed through assistance provided under this section.
- (g) REPORTS.--The Secretary shall submit to the Congress an annual report describing the operations of the grant program authorized by this section during the preceding fiscal year.

¹⁵⁹ 7 U.S.C. 5924.

(h) AUTHORIZATIONS OF APPROPRIATIONS.--There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 1672.160 SPECIALIZED RESEARCH PROGRAMS.

- (a) ANIMAL LEAN CONTENT RESEARCH.--The Secretary of Agriculture is encouraged to fund research for the development of technology which will ascertain the lean content of animal carcasses to be used for human consumption.
- (b) ETHANOL RESEARCH.--In order to further carry on and enhance needed ethanol research, the facility of the Agricultural Research Service located at Peoria, Illinois (authorized by section 202 of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1292)), may enter into cooperative agreements, contracts, and the exchange of scientific information with the Department of Energy in the area of ethanol research. Such facility shall hereafter be referred to as the National Center for Agricultural Utilization Research, Agricultural Research Service, United States Department of Agriculture.
- (c) AFLATOXIN RESEARCH.--The Secretary of Agriculture shall conduct a research program for the purpose of determining the presence of aflatoxin in the food and feed chains. The research required under this subsection shall include research in the following areas:
 - (A) The examination of agricultural commodities, products, and feeds for the presence and quantity of aflatoxin.
 - (B) The examination of human populations to assess the exposure level to aflatoxin.
 - (C) The examination of safe levels of aflatoxin in the food and feed chains.
 - (D) The development and assessment of control methods for aflatoxin, including methods to handle, store, detoxify, and dispose of aflatoxin-contaminated agricultural commodities, products, and feeds.
 - (E) The development of effective methods of controlling the aflatoxin contamination of agricultural products in international trade when the level of such contamination exceeds an acceptable level.
 - (F) The development of plants resistant to aflatoxin contamination.
 - (G) The improvement of sampling and analysis methods for aflatoxin.
 - (H) The effect of aflatoxin on animal disease through immunosuppression and interaction with other disease agents.
 - (I) The economic consequences of aflatoxin contamination.
 - (d) MESQUITE RESEARCH .--
 - (1) RESEARCH REQUIRED.--The Secretary of Agriculture shall conduct a research program for the purpose of developing enhanced production methods and commercial uses of mesquite.

¹⁶⁰ 7 U.S.C. 5925.

- (2) COMPETITIVE GRANTS.--The Secretary shall make competitive grants, for periods not to exceed 5 years, to a State agricultural experiment station, a college or university, or a consortium of such entities, for a research project in the research areas identified in paragraph (3).
- (3) RESEARCH AREAS.--A grant available under paragraph (2) shall be awarded to an applicant to conduct research in--
 - (A) the development of techniques to produce, from small-diameter, short-length, or otherwise irregular mesquite logs, solid-wood products useful as flooring, furniture parts, turning blanks, and such other uses as may have potential economic value;
 - (B) the development of management techniques designed to improve stands for quality lumber production from mesquite; and
 - (C) such other methods of production, harvesting, processing, and marketing that are designed to provide viable markets for mesquite and lead to the commercialization of mesquite as a cash crop.
- (4) AUTHORIZATION OF APPROPRIATIONS.--There are authorized to be appropriated \$100,000 for each of the fiscal years 1991 through 1995 to carry out this subsection.

(e) PRICKLY PEAR RESEARCH.--

- (1) RESEARCH REQUIRED.--The Secretary of Agriculture shall conduct a research program for the purpose of investigating enhanced genetic selection and processing techniques of prickly pears.
- (2) COMPETITIVE GRANTS.--The Secretary shall make competitive grants, for periods not to exceed 5 years, to a State agricultural experiment station, a college or university, or a consortium of such entities, for research projects in the research areas identified in paragraph (3).
- (3) RESEARCH AREAS.--A grant available under paragraph (2) shall be awarded to an applicant to conduct research--
 - (A) to investigate, through genetic selection, the development of varieties of prickly pear with improved growth, freeze tolerance, and harvest characteristics;
 - (B) to develop techniques to produce and process prickly pear as a food source; and
 - (C) to continue to investigate the nutritional value and health benefits of prickly pears.
- (4) AUTHORIZATION OF APPROPRIATIONS.--There are authorized to be appropriated \$100,000 for each of the fiscal years 1991 through 1995 to carry out this subsection.

(f) IMMUNOASSAY RESEARCH.--

- (1) RESEARCH REQUIRED.--The Secretary of Agriculture shall establish and carry out a program to make grants to colleges and universities for research relating to immunoassay used--
 - (A) to detect agricultural pesticide residues on agricultural commodities for human consumption; and

- (B) to diagnose animal and plant diseases.
- (2) PREFERENCE.--In making grants under this subsection, the Secretary may give preference to those colleges and universities that, as of the date of the enactment of this Act, are conducting research described in this subsection.
- (g) NICHE MARKET DEVELOPMENT.--The Secretary shall make research and extension grants available for the development of agricultural production and marketing systems that will service niche markets located in nearby metropolitan areas. In awarding such grants, the Secretary shall pay particular attention to areas--
 - (1) with a high concentration of small farm operations; and
 - (2) that experience difficulty in delivering products to market due to geographic isolation.
 - (h) SCRAPIE RESEARCH.--
 - (1) RESEARCH AUTHORIZED.--The Secretary of Agriculture may establish and carry out a program to conduct research on the disease of scrapie in sheep and goats, including research regarding the following:
 - (A) Methods for detecting infection of animals with scrapie before the animals become symptomatic.
 - (B) Methods for treatment, prevention, and cure of scrapie.
 - (C) Methods for controlling the spread of scrapie.
 - (2) GRANTS AND CONTRACTS.--In carrying out a research program established under this subsection, the Secretary may make grants to and contract with Federal, State, and local agencies and any other organizations that are experienced in research regarding animal diseases.
 - (3) COORDINATION.--The Secretary shall coordinate the research program established under this subsection with other research programs regarding encephalopathies, in particular research regarding bovine spongiform encephalopathy in cattle.
- (i) DEER TICK ECOLOGY AND RELATED RESEARCH.--There are authorized to be appropriated \$250,000 for each of the fiscal years 1991 through 1995 to be used by the Agricultural Research Service to assist research in the field of population ecology of deer ticks and other insects and pests which transmit Lyme disease.
- (j)¹⁶¹ NEW COMMERCIAL PRODUCTS FROM NATURAL PLANT MATERIALS.--The Secretary of Agriculture may--
 - (1) conduct fundamental and applied research related to the development of new commercial products derived from natural plant materials for industrial, medical, and agricultural applications; and

¹⁶¹ It should be noted that this subsection is identical to language added as Section 1473E to the National Agricultural Research, Extension, and Teaching Policy Act of 1977 by Public Law 101-220, Technical and Correcting Changes in Agriculture Programs, signed December 12, 1989 (103 Stat. 1878, 7 U.S.C. 3319e).

(2) participate with colleges and universities, other Federal agencies, and private sector entities in conducting such research.

(k) ADMINISTRATIVE PROVISIONS.--

- (1) PEER REVIEW.--Except for research funded under subsection (i), research funded under this section shall be subject to peer review at such times as the Secretary considers necessary for the purpose of reviewing the progress and efficacy of the research and the justification and need for continued funding.
- (2) LIMITATION ON USE OF FUNDS.--Funds provided under this section may not be used for the planning, repair, rehabilitation, acquisition, or construction of a building or facility.
- (3) GENERAL ELIGIBILITY.—Unless otherwise specified in this section, State agricultural experiment stations, all colleges and universities, other research institutions and organizations, Federal agencies, private organizations or corporations, and individuals shall be eligible to participate in the programs established by this section.

SEC. 1673.162 AGRICULTURAL TELECOMMUNICATIONS PROGRAM.

- (a) PURPOSE.—The program (hereafter referred to in this section as the "program") established under this section is intended to encourage the development and utilization of an agricultural communications network to facilitate and to strengthen agricultural extension, resident education and research, and domestic and international marketing of United States agricultural commodities and products through a partnership between eligible institutions and the Department of Agriculture. The network will employ satellite and other telecommunications technology to disseminate and to share academic instruction, cooperative extension programming, agricultural research, and marketing information.
 - (b) OBJECTIVES.--The objectives of the program established under this section are-
 - (1) to make optimal use of available resources for agricultural extension, resident education, and research by sharing resources between participating institutions;
 - (2) to improve the competitive position of United States agriculture in international markets by disseminating information to producers, processors, and researchers;
 - (3) to train students for careers in agriculture and food industries;
 - (4) to facilitate interaction among leading agricultural scientists;
 - (5) to enhance the ability of United States agriculture to respond to environmental and food safety concerns; and
 - (6) to identify new uses for farm commodities and to increase the demand for United States agricultural products in both domestic and foreign markets.
 - (c) DEFINITIONS .-- For purposes of this section--

¹⁶² 7 U.S.C. 5926.

- (1) The term "eligible institution" means an accredited institution of higher education determined by the Secretary to be able to meet the objectives identified in subsection (b).
- (2) The term "communications network" refers to television or cable television origination or distribution equipment, signal conversion equipment (including both modulators and demodulators), computer hardware and software, programs or terminals, or related devices, used to process and exchange data through a telecommunications system in which signals are generated, modified, or prepared for transmission, or received, via telecommunications terminal equipment or via telecommunications transmission.
- (3) The term "delivery" means the transmission and reception of programs by facilities that transmit, receive, or carry data between telecommunications terminal equipment at each end of a telecommunications circuit or path.
- (4) The term "facilities" includes microwave antennae, fiberoptic cables and repeaters, coaxial cables, communications satellite ground station complexes, copper cable electronic equipment associated with telecommunications transmission, and similar items as defined by the Secretary.
- (5) The term "satellite ground station complex" includes transmitters, receivers, and communications antennae at the Earth station site together with the interconnecting terrestrial transmission facilities (including cables, line, or microwave facilities) and modulating and demodulating equipment necessary for processing traffic received from the terrestrial distribution system prior to transmission via satellite and the traffric received rom the satellite prior to transfer to terrestrial distribution systems.
- (d) AUTHORIZATION OF ASSISTANCE TO ELIGIBLE INSTITUTIONS.--(1) The Secretary shall establish a program, to be administered by the Assistant Secretary for Science and Education, under which financial and technical assistance may be provided to eligible institutions that participate in a network that distributes programs consistent with the objectives described in subsection (b).
- (2) The Secretary may approve all of part of any application submitted by an eligible institution if the proposed activity will contribute, directly or indirectly, to the purpose and objectives of the program established under this section.
- (3) As provided in subsection (f), applications for financial assistance may include requests to fund program production or program delivery, or both.
- (e) PRIORITY.--The Secretary, in considering applications for assistance under this program, shall establish procedures to ensure a broad dissemination of programming, giving a preference to applications that--
 - (1) are submitted by institutions affiliated with an established agricultural telecommunications network that distributes programs to a wide geographical area; or
 - (2) demonstrate the need for such assistance, taking into consideration the relative needs of all applicants and the financial ability of the applicants to otherwise secure or create the telecommunications system.
- (f) APPLICATIONS FOR PROGRAM PRODUCTION AND DELIVERY.--(1) The Secretary shall consider applications for financial assistance for the production and delivery of programs or cooperative extension, academic instruction in agriculture, agricultural research, and other topics consistent with the objectives described in subsection (b).

- (2) Eligible institutions shall request assistance by submitting applications to the Assistant Secretary for Science and Education. Applications shall include--
 - (A) a detailed description of the telecommunications network and programming proposed to be produced and delivered, including to whom the programming will be distributed, how the programming will contribute to achieving the objectives described in subsection (b), and the total cost of producing and delivering such programming;
 - (B) the amount of assistance requested for the proposed program authorized under this section and other sources of funding that will be used for the proposed program; and
 - (C) an analysis of the costs and benefits of purchasing (or leasing) different types of facilities, equipment, components, hardware and software, or other items.
- (g) LIMITATIONS ON ASSISTANCE.--(1) The Secretary may provide funds totaling not more than 50 percent of the cost of a proposal for which an application is submitted under subsection (f). Notwithstanding the preceding sentence, the Secretary may provide funds totaling up to 100 percent of the cost of such a proposal if the Secretary determines that an eligible institution would otherwise be unable to carry out the proposal.
- (2) The Secretary may allocate not more than 10 percent of the funds appropriated under this section for the acquisition and installation of telecommunications transmission facilities.
- (h) AUTHORIZATION OF APPROPRIATIONS.--For the purposes of implementing the program established under this section, there are hereby authorized to be appropriated not more than \$12,000,000 for each of the fiscal years 1991 through 1995.

SEC. 1674.16 COMMISSION ON AGRICULTURAL RESEARCH FACILITIES.

- (a) DEFINITIONS.--For purposes of this section:
- (1) AGRICULTURAL RESEARCH FACILITY.--The term "agricultural research facility" means a facility at which agricultural research is regularly carried out, or proposed to be carried out, and which is--
 - (A) an existing Agricultural Research Service facility or a Forest Service facility;
 - (B) an agricultural facility in the process of being planned or being constructed using Federal funding or a planned agricultural facility that will use Federal funding; or
 - (C) any other facility under the jurisdiction of the Secretary of Agriculture.
- (2) STUDY COMMISSION.--The term "Study Commission" means the Agriculture Research Facilities Planning and Closure Study Commission established under this section.
 - (3) SECRETARY.--The term "Secretary" means the Secretary of Agriculture.
- (b) STUDY COMMISSION ESTABLISHED.--The Secretary shall establish an Agriculture Research Facilities Planning and Closure Study Commission to carry out the activities described in subsection (c).

¹⁶³ 7 U.S.C. 5927.

- (c) GENERAL DUTIES.--The Study Commission shall--
- (1) review all currently operating and planned agricultural research facilities for research importance;
- (2) identify those agricultural research facilities that should be closed, realigned, consolidated, or modernized, in order to aid in carrying out the research agenda of the Secretary;
 - (3) develop recommendations concerning agricultural research facilities; and
- (4) evaluate the agricultural research facilities acquisition and modernization system utilized by the Department of Agriculture and recommend improvements in such system.

(d) ELEMENTS OF STUDY COMMISSION.--

- (1) MEMBERSHIP.--The Study Commission shall be composed of 14 members to be appointed not later than 60 days after the date of enactment of this Act, of which--
 - (A) two members shall be appointed by the Secretary from among private citizens or employees of the Executive Branch;
 - (B) three members shall be appointed by the Chairman of the Committee on Agriculture, Nutrition, and Forestry of the Senate;
 - (C) three members shall be appointed by the Ranking Minority Member of the Committee on Agriculture, Nutrition, and Forestry of the Senate;
 - (D) three members shall be appointed by the Chairman of the Committee on Agriculture of the House of Representatives; and
 - (E) three members shall be appointed by the Ranking Minority Member of the Committee on Agriculture of the House of Representatives.
- (2) VACANCIES.--A vacancy occurring on the Study Commission shall be filled in the same manner as that in which the original appointment was made.

(3) COMPENSATION AND EXPENSES.--

- (A) COMPENSATION.--Members of the Study Commission who are not regular full-time employees of the United States Government shall, while attending meetings and conferences of the Study Commission or otherwise engaged in the business of the Study Commission (including travel time), be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding the rate specified at the time of such service under GS-18 of the General Schedules established under section 5332 of title 5, United States Code.
- (B) EXPENSES.--While away from their homes or regular places of business on the business of the Study Commission, members of such Commission may be allowed travel expenses, including per diem in lieu of subsistence, as is authorized under section 5703 of title 5, United States Code, for persons employed intermittently by the Federal Government.
- (4) CHAIRPERSONS.--The Secretary shall designate a member of the Study Commission to serve as the Chairperson.

- (5) MEETINGS.--The Study Commission shall meet at the call of the Chairperson, of a majority of the members of the Study Commission, or at the call of the Secretary.
- (6) DIRECTOR AND STAFF.--The Chairperson of the Study Commission may appoint a Director of such Commission, and may request the detailing of the staff of Federal agencies to such Commission to assist it in carrying out its duties. The Chairperson may employ experts and consultants.
- (e) GENERAL POWERS.--The Study Commission shall have the power to meet and hold hearings, use the mails of the United States, and provide and acquire administrative support services.
- (f) REPORT.--Not later than 240 days after the date of enactment of this Act, the Study Commission shall prepare and submit to the Secretary, the Committee on Agriculture and Appropriations of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry and Appropriations of the Senate, a report concerning the findings and recommendations developed under subsection (c)
- (g) AUTHORIZATION OF APPROPRIATIONS.--There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 1675.164 NATIONAL CENTERS FOR AGRICULTURAL PRODUCT QUALITY RESEARCH.

- (a) PURPOSES.--The purposes of the national centers for agricultural product quality research shall be to--
 - (1) serve as regional or commodity specific agricultural product quality research and education focal points involving one or more university and Federal participants;
 - (2) take advantage of opportunities, and establish linkages between universities and other entities with expertise, in basic biology and engineering, the development of new technology, the application of technology to practice, and related quality assurance and regulatory activities;
 - (3) develop and enhance explicit relationships (including the possible sharing of the cost of center operations) between the research and development community, the Department, and other Federal agencies, and with all aspects of the involved industries;
 - (4) provide a mechanism for dealing with the safety and wholesomeness of new food products and processes that use biotechnology (including transgenic plants and animals);
 - (5) provide factual public information about agricultural product quality and wholesomeness on a continuing basis; and
 - (6) where appropriate, build on existing institutional strengths and commitments to address issues relating to agricultural product quality and wholesomeness and on demonstrated capability to effectively link with operational units of the Department, other Federal agencies, and private industry.

^{164 7} U.S.C. 5928.

(b) CHARACTERISTICS OF CENTERS.--

- (1) REGIONAL BASIS.--The centers shall be regional based units that conduct a broad spectrum of research, development, and education programs to assure the safety and wholesomeness of food through the prevention, detection, and modification of processes and products involved in the food chain that potentially compromise agricultural product quality and wholesomeness.
- (2) RESEARCH APPROACH.--The centers shall involve multidisciplinary and interdisciplinary approaches to the development of new knowledge and technology. The centers may include multi-institutional linkages between universities or related Federal laboratories.
- (3) MANAGEMENT.--The centers shall serve as a management focal point for grants that deal with agricultural product quality research, extension, and teaching, including the provision of mechanisms for sharing resources between cooperating institutions and laboratories.
- (4) RESEARCH LINKAGES.--Appropriate linkages within the centers shall include related efforts in agriculture, medicine, veterinary medicine, public health, engineering and related life and physical sciences, and social sciences dealing with health related behavior.
- (5) RESEARCH SCOPE.--Each center shall conduct research and education on the full spectrum of production, processing, transportation, and marketing for commodity classes, such as animals (including animal products and animal feed), agronomic crops, and horticultural crops.

(c) ESTABLISHMENT OF CENTERS.--

- (1) GRANTS.--The Secretary shall make grants to establish the centers. Such grants establishing centers shall be competitively awarded based on merit and relevance in reference to meeting the purposes specified in subsection (a).
- (2) PERIODS AND PREFERENCES.--Grants may be awarded for periods of up to five years and may be renewed in competition with demonstration of adequate performance. The Secretary shall give preference to proposals that demonstrate linkages with action agencies of the Department, with other related Federal research laboratories and agencies, and with private industry.
- (3) PRIMARY INSTITUTION IN CENTER.--The primary institution involved in a center shall be a land-grant college with other cooperating or collaborating academic institutions, nonprofit research and development entities, and Federal laboratories. A center may involve institutions or laboratories in more than one State.
- (4) MATCHING FUNDS.--The non-Federal sponsors of a center shall contribute an amount of funds for operation of the center equal to not less than the amount awarded by the Federal Government.

(d) PROGRAM PLAN AND REVIEW.--

- (1) PLAN,--A program plan shall be developed by the Department after obtaining the advice of representative users of the centers, including both action agencies and appropriate representatives from various segments of the food industry. The plan shall be submitted to the Congress for review at intervals of not less than once every three years.
- (2) REVIEW.--Accomplishments and directions of the centers shall be reviewed by the Department on a periodic basis, but not less frequently than at the end of the second and fourth years after the

date of the enactment of this Act. The persons conducting the review shall be appointed by, and report to, the Secretary.

- (e) LIMITATION ON USE OF FUNDS.--Funds provided under this section may not be used for the planning, repair, rehabilitation, acquisition, or construction of a building or facility.
 - (f) **DEFINITIONS.--For purposes of this section:**
 - (1) The term "center" means a national center for agricultural product quality research established under this section.
 - (2) The term "Secretary" means the Secretary of Agriculture.
 - (3) The term "Department" means the Department of Agriculture.
- (g) AUTHORIZATION OF APPROPRIATIONS.--(1) There are authorized to be appropriated such funds as may be necessary to carry out this section for each of the fiscal years 1991 through 1995.
 - (2) The centers shall be funded through the Cooperative State Research Service in the Department.

SEC. 1676.165 TURKEY RESEARCH CENTER.

There are authorized to be appropriated \$500,000 for fiscal year 1992 to be used by the Agricultural Research Service for planning purposes in the estabishment of a facility to be known as the Agricultural Turkey Research Center to be located in Pelican Rapids, Minnesota, and operated in cooperation with the North Dakota State University.

SEC. 1677.166 RESERVATION EXTENSION AGENTS.

- (a) ESTABLISHMENT.--The Secretary of Agriculture, acting through the Extension Service, shall establish appropriate extension education programs on Indian Reservations and tribal jurisdictions. In establishing these extension programs, the Secretary shall consult with the Bureau of Indian Affairs, the Intertribal Agriculture Council, and the Southwest Indian Agriculture Association, and shall make such interagency cooperative agreements or memoranda of understanding as may be necessary. The programs to be developed and delivered on Reservations and within tribal jurisdictions shall be determined with the advice and counsel of Reservation or tribal program advisory committees.
- (b) ADMINISTRATION AND MANAGEMENT.--Extension agents shall be employees of, and administratively responsible to, the Cooperative Extension Service of the State within which the Reservation or tribal jurisdiction is located, and employment and personnel management responsibilities shall be vested with the State Cooperative Extension Service. In cases where a Reservation or tribal jurisdiction is located in two or more States, the Secretary of Agriculture shall make the determination of administrative responsibility, including possible divisions along State boundaries.
- (c) ADVISORY COMMITTEES.--At the request of a State Extension Director, and with the assistance of the Tribal authorities, the Secretary of Agriculture may form an advisory committee to give overall policy and program advice to that State Extension Director with regard to programs conducted on

¹⁶⁵ 7 U.S.C. 5929.

¹⁶⁶ 7 U.S.C. 5930.

reservations or within tribal jurisdictions. Program advisory committees may be formed to assist extension staff in development and conduct of program activities.

- (d) STAFFING.--Insofar as possible, agent and specialist staff shall include individuals representative of the tribal grouping being served. Programs shall emphasize training and employment of local people in positions such as program aides, master gardeners, and volunteers. Staffing at a particular location shall be dependent on the needs and priorities of that location, as identified by the advisory committees and the State Extension Director, and the Director may make use of existing personnel and facilities as appropriate.
- (e) PLACING OF AGENTS.--The number of offices and their placement shall be jointly determined by the State Extension Directors and tribal authorities of the respective States by taking into consideration the agricultural acreage within the boundaries of an Indian Reservation or tribal jurisdiction, the soil classifications of such acreage, and the population of such Reservation or tribal jurisdiction.
- (f) AUTHORIZATION OF APPROPRIATIONS.--There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 1678. 167 SPECIAL GRANT TO STUDY CONSTRAINTS ON AGRICULTURAL TRADE.

- (a) GRANT REQUIRED.--The Secretary of Agriculture shall provide at least two special grants to land-grant colleges and universities to conduct a study that will evaluate the trade impacts of technical barriers, quality factors, and end-use characteristics in agricultural trade to determine whether such factors are consistent as between commodities. Such study shall be conducted with the objective--
 - (1) to identify and analyze constraints related to end-use characteristics in trade and competition;
 - (2) to design production and processing techniques to lessen their impacts; and
 - (3) to identify public policy alternatives, nationally and internationally, that may reduce the impacts of such trade restrictions.
- (b) JOINT DEVELOPMENT.--The Secretary shall ensure that the grants provided for in this section provide for the joint development of the methodology and techniques between the recipients of such grants to meet the objectives set forth in subsection (a).
- (c) REPORT.--Not later than 18 months after the date of the enactment of this Act, the Secretary shall report the results of the study grants under subsection (a) to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.
- (d) LAND-GRANT COLLEGES AND UNIVERSITIES DEFINED.--For purposes of this section, the term "land-grant colleges and universities" has the meaning given to that term in section 1404(10) of the National Agricultural Research, Teaching, and Extension Policy Act of 1977¹⁶⁸ (7 U.S.C. 3103(10)).

¹⁶⁷ 7 U.S.C. 5931.

¹⁶⁸ So in original--title of Act incorrectly cited.

SEC. 1679. PILOT PROJECT TO COORDINATE FOOD AND NUTRITION EDUCATION PROGRAMS.

- (a) PILOT PROJECT.--The Secretary of Agriculture shall establish a five-year pilot project to make available grants to not less than two States, on a competitive basis, for the purpose of implementing in such States, a plan that--
 - (1) provides for the full coordination of the conceptual design and program delivery of food and nutrition education programs for potential participants within the State; and
 - (2) provides to the greatest extent possible for the coordination of such food and nutrition education programs with related State programs.
 - (b) ELEMENTS OF THE PROJECT.--In carrying out subsection (a), the Secretary shall--
 - (1) provide for enhanced intraagency and interagency coordination in the design and delivery of food and nutrition education programs;
 - (2) develop more efficient methods, and improved agency organization, to inform the public and persons eligible for food and nutrition programs about such education programs (including those education programs regarding nutrition and management of family resources for better nutrition and health) and nutrition education programs available at the Federal, State, and local level; and
 - (3) provide for an evaluation of the degree to which stated program coordination objectives are being attained, the impact on actual behavioral change of program participants, and the implication of the program outcomes for future public health, budget expenditures, and the general public welfare.
 - (c) DEFINITIONS.--For purposes of this section:
 - (1) The term "coordination" means the development and implementation of a consistent and coherent program of nutrition education regarding the receipt and increased beneficial use of the resources made available to persons for food and nutrition programs and, to the extent possible, related State and local food and nutrition programs.
 - (2) The term "food and nutrition education programs" includes any educational programs or components of the food stamp program, the expanded food and nutrition education program, and such other programs administered by the Department of Agriculture as the Secretary determines necessary to effectively implement the programs required under subsection (a).
- (d) AUTHORIZATION OF APPROPRIATIONS.--There are authorized to be appropriated to the Secretary for each of the fiscal years 1991 through 1995 such sums as may be necessary to carry out the pilot project established under subsection (a).

¹⁶⁹ 7 U.S.C. 5932.

SEC. 1680.17 ASSISTIVE TECHNOLOGY PROGRAM FOR FARMERS WITH DISABILITIES.

- (a) SPECIAL DEMONSTRATION GRANTS.--
- (1) IN GENERAL.--The Secretary of Agriculture, in consultation with other appropriate Federal agencies, shall make demonstration grants to support cooperative programs between State Cooperative Extension Service agencies and private nonprofit disability organizations to provide onthe-farm agricultural education and assistance directed at accommodating disability in farm operations for individuals with disabilities who are engaged in farming and farm-related occupations and their families.
- (2) ELIGIBLE SERVICES.--Grants awarded under paragraph (1) may be used to support programs serving individuals with disabilities, and their families, who are engaged in farming and farm-related occupations.
- (3) ELIGIBLE PROGRAMS.--Grants awarded under paragraph (1) may be used to initiate, expand, or sustain programs that--
 - (A) provide direct education and assistance to accommodate disability in farming to individuals with disabilities who engage in farming and farm-related occupations;
 - (B) provide on-the-farm technical advice concerning the design, fabrication, and use of agricultural and related equipment, machinery, and tools, and assist in the modification of farm worksites, operations, and living arrangements to accommodate individuals with disabilities who engage in farming, farm living and farm-related tasks;
 - (C) involve community and health care professionals, including Extension Service agents and others, in the early identification of farm and rural families that are in need of services related to the disability of an individual;
 - (D) provide specialized education programs to enhance the professional competencies of rural agricultural professionals, rehabilitation and health care providers, vocational counselors, and other providers of service to individuals with disabilities, and their families, who engage in farming or farm-related occupations; and
 - (E) mobilize rural volunteer resources, including peer counseling among farmers with disabilities and rural ingenuity networks promoting cost effective methods or accommodating disabilities in farming and farm-related activities.
- (4) EXTENSION SERVICE AGENCIES.--Grants shall be awarded under this subsection directly to State Extension Service agencies to enable them to enter into contracts, on a multiyear basis, with private nonprofit community-based direct service organizations to initiate, expand, or sustain cooperative programs described under paragraphs (2) and (3).
 - (5) MINIMUM AMOUNT.--A grant awarded under this subsection may not be less than \$150,000.
- (6) AUTHORIZATION OF APPROPRIATIONS.--There are authorized to be appropriated to carry out this subsection--

¹⁷⁰ 7 U.S.C. 5933.

- (A) not less than \$3,000,000 for each of the fiscal years 1991 and 1992; and
- (B) not less than \$5,000,000 for each of the fiscal years 1993 through 1996.

(b) NATIONAL GRANT FOR TECHNICAL ASSISTANCE, TRAINING AND DISSEMINATION.--

- (1) IN GENERAL.--The Secretary of Agriculture shall award a competitive grant to a national private nonprofit disability organization to enable such organization to provide technical assistance, training, information dissemination and other activities to support community-based direct service programs of on-site rural rehabilitation and assistive technology for individuals with disabilities, and their families, who are engaged in farming or farm-related occupations.
- (2) AUTHORIZATION OF APPROPRIATIONS.--There are authorized to be appropriated \$1,000,000 to carry out this subsection for each of the fiscal years 1991 through 1996.

SEC. 1681.¹⁷¹ RESEARCH ON HONEYBEE DISEASES.

- (a) SENSE OF CONGRESS .-- It is the sense of Congress that--
- (1) diseases affecting the entire honeybee population impact on the ability of honeybees to carry out crop pollination and honey production, and therefore impact negatively on beekeepers, producers and consumers; and
- (2) certain diseases (such as those caused by trachael¹⁷² mite, varroa mite, and the Africanized honeybee) pose a threat to the continued well-being of the general honeybee population, and thus merit further study.
- (b) RESEARCH.--Notwithstanding any other provisions of law, the Secretary of Agriculture shall give priority attention to the funding of research regarding the diseases referred to in subsection (a) that are affecting the honeybee population.

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¹⁷¹ 7 U.S.C. 5934.

¹⁷² Misspelled in original as "teacheal".

FOOD, AGRICULTURE, CONSERVATION, AND TRADE ACT OF 1990

PUBLIC LAW 101-624, NOVEMBER 28, 1990

TITLE XIV—CONSERVATION



FOOD, AGRICULTURE, CONSERVATION, AND TRADE ACT OF 1990

PUBLIC LAW 101-624 NOVEMBER 28, 1990

TITLE XIV—CONSERVATION

SEC. 1401. SHORT TITLE.

This title may be cited as the "Conservation Program Improvements Act".

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SUBTITLE D-OTHER CONSERVATION MEASURES

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SEC. 1456.¹⁷³ COMPOSTING RESEARCH AND EXTENSION PROGRAM.

(a) PURPOSE.--It is the purpose of this section to require the Secretary of Agriculture to identify and compile appropriate methods of composting agricultural wastes and the potential uses for such compost, and to make such information available to the appropriate Federal, State, or other private authorities and the general public.

(b) COMPOSTING INFORMATION .--

- (1) SECRETARY.--The Secretary shall identify and compile information on--
 - (A) the composting of agricultural wastes, including information on the composting of wastes from the production, processing, and distribution of food, fiber, forestry, livestock, and fish products, and the potential uses of such compost; and
 - (B) laws, rules, and programs adopted by State and local governments and foreign governments that establish definitions and set standards for the processing, handling, and use of compost.
- (2) CONSULTATION.--In identifying and compiling such information, the Secretary may consult with representatives of other Federal departments and such other persons as the Secretary determines appropriate.
- (c) RESEARCH.--The Secretary shall conduct research on the potential uses for compost derived from animal wastes, and from other waste streams as appropriate, and identify uses for such compost, including the potential for marketing such product. Such research shall also include evaluation of the application of compost derived from agricultural wastes on soil, plants, and food and fiber crops.

¹⁷³ 7 U.S.C. 3130.

- (d) COMPOSTING EXTENSION PROGRAM.--Beginning not later than one year after the date of the enactment of this Act, the Secretary shall initiate extension efforts to inform the agricultural community and the general public regarding--
 - (1) the desirability and safety of compost derived from agricultural wastes;
 - (2) on-farm and other composting techniques; and
 - (3) procedures for using compost.
- (e) FARM CONSERVATION PRACTICE.--The Secretary shall consider designating composting as a farm conservation practice eligible for cost-sharing.

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SUBTITLE F-ADMINISTRATION OF ENVIRONMENTAL PROGRAMS

- SEC. 1471.¹⁷⁴ ESTABLISHMENT OF THE AGRICULTURAL COUNCIL ON ENVIRONMENTAL QUALITY.
- (a) ESTABLISHMENT.--The Secretary shall establish an Agricultural Council on Environmental Quality in the Department of Agriculture (hereafter in this subtitle referred to as the "Council"). The Council shall be under the direct authority of the Secretary, and shall be responsible for carrying out the provisions of this subtitle, and for coordination and direction of all environmental policies and programs of the Department.
- (b) MEMBERSHIP.--Membership of the Council shall consist of the Secretary, the Deputy Secretary, the Assistant Secretary for Natural Resources and Environment, the Assistant Secretary for Science and Education, other under and assistant secretaries as may be designated by the Secretary, and the Director of the Office of Agricultural Environmental Quality, established in section 1472, who shall serve as the Executive Director of the Council. The Secretary shall designate a member of the Council, other than the Executive Director, as chair of the Council.
- SEC. 1472.¹⁷⁵ OFFICE OF AGRICULTURAL ENVIRONMENTAL QUALITY.
- (a) ESTABLISHMENT.--The Secretary shall establish an Office of Agricultural Environmental Quality in the Department of Agriculture (hereafter in this subtitle referred to as the "Office").
- (b) DIRECTOR.--The Office shall be administered by a director who shall be appointed by the Secretary. The Director shall be an individual who has demonstrated technical expertise and experience in agricultural and environmental matters.
 - (c) STAFF.--
 - (1) APPOINTMENTS.--The Director may appoint such employees as may be necessary to assist the Director in carrying out this section. Such employees shall include individuals who have professional expertise in matters related to environmental quality, including (but not limited to) agricultural

¹⁷⁴ 7 U.S.C. 5401.

^{175 7} U.S.C. 5402.

production, water quality, wetland, wildlife conservation, soil conservation, and agricultural chemical usage.

- (2) LIAISONS.--The Administrator of the Environmental Protection Agency and the Secretary of the Interior shall detail to the Office upon request of the Secretary, on a reimburseable basis, at least one employee, respectively, with expertise in matters related to agriculture and environmental quality. Such detailed employees shall serve as a liaison for their respective agencies with the Department of Agriculture to assist the Director in carrying out the provisions of this section. The term of the detail shall not exceed 3 years.
- (3) ADDITIONAL STAFF.--Upon request of the Secretary, the head of any Federal agency is authorized to detail, on a reimbursable basis, employees of such agency to the Office to assist the Director.

(d) DUTIES OF THE DIRECTOR.--

(1) IN GENERAL.--The Director shall assist the Council in developing a departmental and agency-specific environmental quality policy statement and implementation plan and an annual agricultural environmental quality report, as specified in section 1473. The Director shall coordinate and monitor the activities of the Department regarding initiatives and programs related to environmental quality and the interpretation of departmental policies affecting environmental quality. The Director shall serve as a member of the Council and as its Executive Director.

(2) ADDITIONAL DUTIES .-- The Director shall also be responsible for--

- (A) recommending to the Council environmental protection goals and specific programs, initiatives, and policies that will balance the needs of production agriculture with environmental concerns;
- (B) providing advice to the Council on the development, implementation, and review of activities of agencies of the Department to ensure consistency with the Department's environmental protection goals;
- (C) coordinating environmental policy within the Department through the program managers, and between the Department and other Federal agencies, regional authorities, State and local governments, land-grant and other colleges and universities, and nonprofit and commercial organizations, regarding programs and actions relating to environmental quality;
- (D) serving as a coordinator for the Department's data, information, programs, and initiatives dealing with environmental quality;
 - (E) developing the plans and reports required as specified by this subtitle; and
 - (F) providing such staff as may be necessary to support the activities of the Council.

SEC. 1473.176 ENVIRONMENTAL QUALITY POLICY STATEMENT.

- (a) ENVIRONMENTAL QUALITY POLICY STATEMENT, IMPLEMENTATION PLAN, AND ANNUAL REPORT.--
- (1) POLICY STATEMENT.--The Council shall develop an Environmental Quality Policy Statement that identifies goals and objectives for addressing the effects of agriculture on environmental quality. The policy statement shall be based upon an assessment, in accordance with subparagraph (B)¹⁷⁷, of the current status and level of effort, in terms of staff and funding, of programs at the Department of Agriculture to evaluate, prevent, and mitigate environmental problems that may result from agricultural production. The policy statement shall be revised at least every 5 years.
 - (2) ASSESSMENT.--The assessment under subparagraph (A)¹⁷⁷ shall include:
 - (A) Detailed descriptions of the roles of the involved Departmental agencies.
 - (B) A description of current efforts to coordinate the individual activities of each of the involved departmental agencies.
 - (C) Recommendations for precluding any undesirable duplication of efforts within the Department and among the Department and other Federal and State programs.
 - (D) Specific recommendations for new initiatives in monitoring, research, extension, and technical assistance efforts to address present and potential environmental quality problems.

The assessment may incorporate existing documents and planning processes within the Department.

- (b) IMPLEMENTATION PLAN.--The Director, subject to the approval of the Council, shall prepare a plan to implement the Environmental Quality Policy Statement. The plan shall include an assessment of the activities of each departmental agency to mitigate or reduce any negative effects on environmental quality of agricultural policies, programs, and practices under their respective jurisdictions and shall describe in detail new departmental and agency-specific initiatives intended to achieve the goals and objectives of the policy statement. The plan shall be revised at least every 5 years.
- (c) ANNUAL ENVIRONMENTAL QUALITY REPORT.--Not later than January 31, 1992, and annually thereafter, the Council, through the Director, shall prepare and submit an annual report to the Congress, other appropriate Federal and State agencies, and the public on the progress being made toward the goals and objectives established in the Environmental Quality Policy Statement. The report shall also include--
 - (1) a review of the environmental activities and initiatives of the Department during the preceding year;

^{176 7} U.S.C. 5403.

So in original. Obviously a conforming construction error. Original documents from which the composition of this subtitle was taken during staff conference included a subparagraph (1)(A) and a subparagraph (1)(B). The rewrite changed the construction format but neglected to conform "(B)" to "(2)" and "(A)" to "(1)".

- (2) specific action taken to coordinate the environmental programs of the Department with programs of other Federal agencies and related State programs; and
- (3) such recommendations as the Secretary considers appropriate regarding current or additional environmental protection programs, initiatives, or policies that will balance the needs of production agriculture while addressing environmental concerns.
- (d) AUTHORIZATION OF APPROPRIATIONS.--There are hereby authorized to be appropriated annually not to exceed \$2,000,000 to carry out this subtitle.

SUBTITLE G-WATER QUALITY RESEARCH, EDUCATION, AND COORDINATION

SEC. 1481.¹⁷⁸ SHORT TITLE, PURPOSE, DEFINITIONS, AND AUTHORIZATION OF APPROPRIATIONS.

- (a) SHORT TITLE.--This subtitle may be cited as the "Agriculture and Water Policy Coordination Act".
 - (b) PURPOSE.--It is the purpose of this subtitle to ensure--
 - (1) that the Department of Agriculture develops, implements, and sustains a coordinated, integrated, and comprehensive intra-agency program to protect waters from contamination from agricultural chemicals and production practices; and
 - (2) increased efforts by the Department of Agriculture in extension, technical assistance, and research on the relations between agricultural production and the contamination of water.
 - (c) DEFINITIONS.--For purpose of this subtitle--
 - (1) The term "contaminant" means any matter which, in its original form or as a metabolite, degradation, or waste product, as a constituent of water may impair the quality of water or may have a potential adverse effect on human health or the environment.
 - (2) The term "Department" means the United States Department of Agriculture.
 - (3) The term "food and agricultural councils" means those councils established by the policy of the Secretary in each State and made up of the leaders of programs within each State that represent agriculture.
 - (4) The term "soil and water conservation committees" refers to the committees established within the respective States by State law and which include the leaders of appropriate State agencies that address soil and water conservation.
 - (5) The term "Secretary" means the Secretary of Agriculture.

¹⁷⁸ 7 U.S.C. 5501.

- (6) The term "State" means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the Virgin Islands, and federally recognized Indian tribes.
- (d) AUTHORIZATION OF APPROPRIATIONS.--There are authorized to be appropriated such sums as may be necessary for fiscal years 1991 through 1995 to carry out this subtitle.

SEC. 1482.179 SOIL AND WATER ACTIVITIES.

- (a) PURPOSE.--The Congress declares that an additional purpose of the Soil Conservation Service and the Extension Service is to aid in protecting and improving the quality of water.
- (b) CONSERVATION PLANS.--The Secretary, when reviewing conservation plans for compliance certification, shall determine the impact that such plans may have on agriculture and water quality planning. The Soil Conservation Service shall complete this determination by January 1, 2000.
- (c) ACQUISITION OF WATER INFORMATION THROUGH THE NATIONAL RESOURCES INVENTORY.--The Secretary shall determine within six months after the date of the enactment of this Act whether the national resources inventory can be modified to acquire useful information on water conditions and surface conditions that affect water quality and supply. In making this determination, the Secretary shall consider--
 - (1) the costs, limitations, opportunities, and capability of expanding the inventory to include water matters; and
 - (2) whether the natural resources inventory can be integrated with alternative sources of data on water from Federal and State agencies.
- (d) ANNUAL REPORT.--The Secretary shall submit an annual report to the Committee on Agriculture of the House of Representatives and to the Committee on Agriculture, Nutrition, and Forestry of the Senate in conjunction with the report required under section 1473(c). The report shall specify the--
 - (1) activities and accomplishments of the Soil Conservation Service during the preceding year, including measures taken to enhance the ability of the Service to address water contamination problems;
 - (2) plans of the Secretary for the subsequent year, concerning measures expected to be taken to enhance the ability of the Service to address water contamination problems; and
 - (3) progress made in carrying out the purpose stated in subsection (a).

SEC. 1483.180 STATE WATER QUALITY COORDINATION PROGRAM.

(a) ESTABLISHMENT.--The Secretary shall require the establishment of a water quality coordination program within each State. To the greatest extent possible, the Secretary shall use the expertise of the food and agricultural councils.

¹⁷⁹ 7 U.S.C. 5502.

¹⁸⁰ 7 U.S.C. 5503.

- (b) MEMBERSHIP.--Each State water quality coordination program shall involve those departmental agencies specified in subsection (c) that are operating within the State. For the purpose of coordination, the State water quality coordination program shall include, should they choose to participate, those State agencies with complementary water program authorities and programs. These State agency members should include the State agencies that are members of the respective State's soil and water conservation committees. The program shall also include the education program coordinator designated under section 1629(b).
- (c) AGENCIES.--The agencies referred to in subsection (b) are: the Agricultural Research Service; the Agricultural Stabilization and Conservation Service; the Animal Plant Health Inspection Service¹⁸¹; the Cooperative State Research Service in conjunction with the system of State agricultural experiment stations; the Economic Research Service; the Extension Service, in conjunction with State and county cooperative extension services; the Forest Service; the National Agricultural Library; the National Agricultural Statistics Service; the Soil Conservation Service; and other agencies within the Department deemed appropriate by the Secretary.
- (d) PROGRAM LEADER.--The program leader of the State water quality coordination program shall be designated by the Secretary from among the Federal agency representatives in subsection (b).
- (e) PURPOSE.--The water quality coordination program within each State shall serve as the focal point for coordinating the Department's water programs with agencies of that State. In addition to other actions, each water quality coordination program shall--
 - (1) serve as the focal point within the State for the coordination of Department-supported agricultural water programs with the water programs being conducted by other Federal agencies within the State;
 - (2) coordinate departmental activities with other Federal activities, within the State with water quality plans developed by that State in accordance with applicable Federal and State laws;
 - (3) review progress being made on identification and mapping of hydrologic units within that State; and
 - (4) review the needs of that State to assess the Federal assistance required for State programs to address agricultural sources of water contamination.
- (f) ADVISORY PANELS.--The chair of the water quality coordination program in each State may establish an ad hoc advisory panel that shall include farmers, representatives of conservation groups, and advocates of sustainable agricultural practices, agribusiness, chemical and fertilizer industries, agricultural commodities, lending institutions, and trade organizations.
- (g) STATE AND REGIONAL RESEARCH PRIORITIES.--The water quality coordination program for each State shall request appropriate representative scientists from the Agricultural Research Service, the State agricultural experiment stations and the agricultural departments of the land-grant universities, to work with the water quality coordination program to establish a prioritized agriculture and water research agenda for the State. This agenda shall address the research topics identified in section 1484 and the concerns or findings established by the activities described in subsection (e)(4). The State research priorities identified under this subsection shall be compiled and reviewed by the appropriate regional and area divisions of the Cooperative State Research Service and the Agricultural Research Service to develop coordinated regional research priorities.

¹⁸¹ So in original.

SEC. 1484.182 WATER QUALITY AND NUTRIENT MANAGEMENT RESEARCH.

- (a) PURPOSES.--It is the purpose of this section to establish a coordinated water quality and nutrient management research program at the Department of Agriculture. In carrying out this section, the Secretary shall undertake efforts to--
 - (1) reduce the sources of contaminants of surface and ground water resources through the development of farm systems which replace or conserve the use of such contaminants while maintaining farm profitability;
 - (2) develop information and technologies needed to formulate integrated farm chemical and plant nutrient and animal waste management strategies which avoid contamination of surface and ground water, expecially in areas identified by State and Federal monitoring or regulatory efforts as having current or potential water quality problems; and
 - (3) moniter and better evaluate the extent of water contamination caused by farm chemicals, plant nutrients, and animal wastes.
- (b) COORDINATION.--In carrying out this section, the Secretary shall ensure that all activities undertaken are coordinated with other programs within the Department of Agriculture, other Federal agencies, and with State governments.
- (c) RESEARCH.--Research projects on water quality funded in whole or in part by the Secretary under this section shall include research to help--
 - (1) develop farming systems and practices which can prevent water contamination while maintaining and improving profitability, including--
 - (A) integrated crop management systems;
 - (B) sustainable agricultural practices;
 - (C) best management practices for use of plant nutrients and animal wastes;
 - (D) alternative methods of pest and disease control designed to integrate biological, cultural, host-resistance, and judicious use of pesticides; and
 - (E) improved methods for the storage, use, and safe disposal of potential contaminants;
 - (2) improve the understanding of the fate and transport of farm chemicals, plant nutrients, and animal wastes which can contaminate water and cause adverse human or environmental effects;
 - (3) develop integrated crop production systems which are more productive, use inputs more efficiently, and are more protective of the environment, including research on--
 - (A) nutrient management and use efficiency;
 - (B) soil and tissue testing and nutrient availability interactions with specific cropping systems;

¹⁸² 7 U.S.C. 5504.

- (C) plant nutrient needs for nitrogen and elements in intensively managed cropping systems;
 - (D) enhancement of soil productivity;
- (E) varietal and hybrid interactions with plant nutrient requirements and overall crop management;
 - (F) the relationship of soil microbial activity to nutrient management;
 - (G) suitability of cover crops in soil protection and nutrient conservation;
 - (H) the role of crop rotations in intensively managed cropping systems;
 - (I) legume management for nutrient conservation and environmental protection;
 - (J) interactions of improved nutrient use efficiency and efficient water use;
 - (K) nutrient availability interactions with soil physical conditions;
- (L) nutrient balance effects on improved nitrogen use efficiency and lowered nitrate carryover in soils; and
 - (M) the importance of subsoil fertility in improved plant yields and nutrient use efficiency;
- (4) monitor and evaluate the extent of water contamination from agricultural production methods;
- (5) improve the understanding of the relationships between water use and the availability and quality of water;
 - (6) improve the accuracy of yield and nutrient advisories;
 - (7) improve the understanding of the ecological and biological aspects of agricultural production;
- (8) demonstrate the results of research conducted with funds provided under this section, undertaken in cooperation with the Extension Service, the Soil Conservation Service, and other entities;
- (9) reduce water contamination and improve water quality relating to the production of cut roses and other fresh cut flowers; and
 - (10) meet other critical water quality research needs, as determined by the Secretary.

SEC. 1485. 183 REPOSITORY OF AGRICULTURE AND GROUND WATER QUALITY PLANNING INFORMATION.

- (a) REPOSITORY.--The Secretary, acting through the Administrator¹⁸⁴ of the National Agricultural Library, shall establish at such Library, a repository for all reports prepared and submitted, in accordance with this subtitle, to the Director, the Secretary, or Committees of Congress. The Administrator¹⁸⁴ of the Library, in administering such repository, shall--
 - (1) compile other planning documents concerning agriculture and ground water protection that are produced by the Secretary and other Federal, regional, and State agencies;
 - (2) compile and catalog all Federal statutes relevant to the protection of ground water from agricultural production; and
 - (3) identify, list, and provide information concerning access to data bases and informational sources relating to ground water and agricultural production that are available through the Secretary, the United States Geological Survey, the Environmental Protection Agency, the Department of Commerce, the National Oceanic and Atmospheric Agency¹⁸⁵, the Tennessee Valley Authority, private industry, nonprofit organizations, and other sources.

(b) RESEARCH DATA BASE.--

- (1) REPORT.--Within 270 days after the date of enactment of this Act, the Secretary shall prepare and submit a report to the Congress on the measures necessary to develop an interactive, descriptive national data base to contain information on agricultural practices and water resources (including research results, monitoring and survey data, pesticide and nutrient use data, and other relevant data bases and information sources relevant to water protection), to be located at the National Agricultiural Library. In preparing this report, the Secretary shall--
 - (A) identify the information required for the development of such an agriculture and water data base and identify the extent to which such information is now collected either publicly or privately;
 - (B) determine the extent to which such information can be integrated into one data base; and
 - (C) develop a plan for implementing the development of such a data base.
- (2) CONSULTATION.--In preparing the report, the Secretary shall consult as appropriate with the Economic Research Service, the Extension Service, the Cooperative State Research Service, the National Agricultural Statistics Service, the Soil Conservation Service, the United States Geological Survey, the Environmental Protection Agency, such other public and private persons as the Secretary determines appropriate.

¹⁸³ 7 U.S.C. 5505.

¹⁸⁴ Section 1410A(c) of the FACT Act of 1190, 7 U.S.C. 3125a, 104 Stat. 3714, directs the Secretary to appoint a "Director" of the National Agricultural Library. Obviously, a conforming error.

¹⁸⁵ Agency citation incorrect in original. National Oceanic and Atmospheric "Agency" should read National Oceanic and Atmospheric "Administration".

(3) DEVELOPMENT.--Ninety days ater the date on which the report is submitted under subsection (a) 186, the Secretary shall initiate the development of the data base in accordance with such report.

SUBTITLE H-PESTICIDES

SEC. 1491.187 PESTICIDE RECORDKEEPING.

- (a) REQUIREMENTS.--(1) The Secretary of Agriculture, in consultation with the Administrator of the Environmental Protection Agency, shall require certified applicators of restricted use pesticides (of the type described under section 3(d)(1)(C) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a(d)(1)(C)) to maintain records comparable to records maintained by commercial applicators of pesticides in each State. If there is no State requirement for the maintenance of records, such applicator shall maintain records that contain the product name, amount, approximate date of application, and location of application of each such pesticide used for a 2-year period after such use.
- (2) Within 30 days of a pesticide application, a commercial certified applicator shall provide a copy of records maintained under paragraph (1) to the person for whom such application was provided.
- (b) ACCESS.--Records maintained under subsection (a) shall be made available to any Federal or State agency that deals with pesticide use or any health or environmental issue related to the use of pesticides, on the request of such agency. Each such Federal agency shall conduct surveys and record the data from individual applicators to facilitate statistical analysis for environmental and agronomic purposes, but in no case may a government agency release data, including the location from which the data was derived, that would directly or indirectly reveal the identity of individual producers. In the case of Federal agencies, such access to records maintained under subsection (a) shall be through the Secretary of Agriculture, or the Secretary's designee. State agency requests for access to records maintained under subsection (a) shall be through the lead State agency so designated by the State.
- (c) HEALTH CARE PERSONNEL.--When a health professional determines that pesticide information maintained under this section is necessary to provide medical treatment or first aid to an individual who may have been exposed to pesticides for which the information is maintained, upon request persons required to maintain records under subsection (a) shall promptly provide record and available label information to that health professional. In the case of an emergency, such record information shall be provided immediately.
- (d) PENALTY.--The Secretary of Agriculture shall be responsible for the enforcement of subsections (a), (b), and (c). A violation of such subsection shall--
 - (1) in the case of the first offense, be subject to a fine not more \$500; and
 - (2) in the case of subsequent offenses, be subject to a fine of not less than \$1,000 for each violation, except that the penalty shall be less than \$1,000 if the Secretary determines that the person made a good faith effort to comply with such subsection.
- (e) FEDERAL OR STATE PROVISIONS.--The requirements of this section shall not affect provisions of other Federal or State laws.

¹⁸⁶ So in original; conforming or typographical error. The report is required under subsection "(b)".

¹⁸⁷ 7 U.S.C. 136i-l.

- (f) SURVEYS AND REPORTS.--The Secretary of Agriculture and the Administrator of the Environmental Protection Agency, shall survey the records maintained under subsection (a) to develop and maintain a data base that is sufficient to enable the Secretary and the Administrator to publish annual comprehensive reports concerning agricultural and nonagricultural pesticide use. The Secretary and Administrator shall enter into a memorandum of understanding to define their respective responsibilities under this subsection in order to avoid duplication of effort. Such reports shall be transmitted to Congress not later than April 1 of each year.
- (g) REGULATIONS.--The Secretary of Agriculture and the Administrator of the Environmental Protection Agency shall promulgate regulations on their respective areas of responsibility implementing this section within 180 days after the date of the enactment of this Act.
- SEC. 1492. [Amendment to section 3(c)(2)(A) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a(c)(2))A)) regarding data in support of registration.]
- SEC. 1493. [Amendment to section 4(i)(5)(A) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-l(i)(5)(A)) regarding waiver of fees for pesticides registered for minor agricultural uses.]
- SEC. 1494. [Amendments to section 6(f) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136d(f)) regarding voluntary cancellations and transfer of registration of pesticides registered for minor agricultural uses.]

SEC. 1495. PEST CONTROL.

Section 28 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w-3) is amended-

- (1) by inserting "(a) IN GENERAL.--" before "The Administrator,"; and
- (2) by adding at the end thereof the following new subsections:
- "(b) PEST CONTROL AVAILABILITY .--
- "(1) IN GENERAL.--The Administrator, in cooperation with the Secretary of Agriculture, shall identify--
 - "(A) available methods of pest control by crop or animal;
 - "(B) minor pest control problems, both in minor crops and minor or localized problems in major crops; and
 - "(C) factors limiting the availability of specific pest control methods, such as resistance to control methods and regulatory actions limiting the availability of control methods.
- "(2) REPORT.--The Secretary of Agriculture shall, not later than 180 days after the date of enactment of this subsection and annually thereafter, prepare a report and send the report to the Administrator. The report shall--
 - "(A) contain the information described in paragraph (1) and the information required by section 1651 of the Food, Agriculture, Conservation, and Trade Act of 1990;
 - "(B) identify the crucial pest control needs where a shortage of control methods is indicated by the information described in paragraph (1); and

- "(C) describe in detail research and extension efforts designed to address the needs identified in subparagraph (B).
- "(c) INTEGRATED PEST MANAGEMENT.--The Administrator, in cooperation with the Secretary of Agriculture, shall develop approaches to the control of pests based on integrated pest management that respond to the needs of producers, with a special emphasis on minor pests.".
- SEC. 1496. [Amendments to table of contents in section 1(b) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.SC. prec. 121).]
- SEC. 1497. [Amendments to section 2 of the Act entitled "An Act to facilitate the work of the Department of Agriculture, and for other purposes", approved August 4, 1965 (7 U.S.C. 450i), the full text of which appears in this Compilation.]

SEC. 1498.188 BIOLOGICAL PESTICIDE HANDLING STUDY.

- (a) STUDY.--Not later than September 30, 1992, the National Academy of Sciences shall conduct a study of the biological control programs and registration procedures utilized by the Food and Drug Administration, the Animal and Plant Health Inspection Service, and the Environmental Protection Agency.
- (b) DEVELOPMENT OF PROCEDURES.--Not later than 1 year after the completion of the study under subsection (a), the agencies and offices described in such subsection shall develop and implement a common process for reviewing and approving biological control applications that are submitted to such agencies and offices that shall be based on the study conducted under such subsection and the recommendation of the National Academy of Sciences, and other public comment.

SEC. 1499.¹⁸⁹ WATER POLICY WITH RESPECT TO AGRICHEMICALS.

- (a) AUTHORITY.—The Department of Agriculture shall be the principal Federal agency responsibile and accountable for the development and delivery of educational programs, technical assistance, and research programs for the users and dealers of agrichemicals to insure that--
 - (1) the use, storage, and disposal of agrichemicals by users is prudent, economical, and environmentally sound; and
 - (2) agrichemical users, dealers, and the general public understand the implications of their actions and the potential effects on water.

The Secretary is authorized to undertake such programs and assistance in cooperation with other Federal, State, and local governments and agencies, and appropriate nonprofit organizations. The Secretary shall disseminate the results of efforts in extension, technical assistance, research, and related activities. The Secretary shall undertake activities under this subtitle in coordination with the Office of Environmental Quality¹⁹⁰ in section 1612¹⁹⁰ of this Act.

¹⁸⁸ 7 U.S.C. 136a note.

¹⁸⁹ 7 U.S.C. 5506.

¹⁹⁰ So in original--conforming error. The correct title should read "Office of Agricultural Environmental Quality" and the correct citation for the section is "1472".

- (b) AFFECT ON EXISTING AUTHORITY.--The authority granted in subsection (a) does not alter or effect¹⁹¹ the responsibility of the Environmental Protection Agency under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.).
- (c) PARTICIPATION.--The following agencies shall participate in the Department's water program: the Agricultural Research Service; the Agricultural Stabilization and Conservation Service; the Animal Plant Health Inspection Service¹⁹²; the Cooperative State Research Service in conjunction with the system of State agricultural experiment stations; the Economic Research Service; the Extension Service, in conjunction with State and county cooperative extension services; the Forest Service; the National Agricultural Library; the National Agricultural Statistics Service; the Soil Conservation Service; and other agencies within the Department deemed appropriate by the Secretary.

¹⁹¹ So in original--should read "affect".

¹⁹² So in original.

FOOD, AGRICULTURE, CONSERVATION, AND TRADE ACT OF 1990

PUBLIC LAW 101-624, NOVEMBER 28, 1990

TITLE XXIII-RURAL DEVELOPMENT



FOOD, AGRICULTURE, CONSERVATION, AND TRADE ACT OF 1990

PUBLIC LAW 101-624 NOVEMBER 28, 1990

TITLE XXIII-RURAL DEVELOPMENT

SEC. 2301. SHORT TITLE.

This title may be cited as the "Rural Economic Development Act of 1990".

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SUBTITLE E-RURAL BUSINESS AND EMERGENCY ASSISTANCE

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SEC. 2346. [Amendment to section 502 of the Rural Development Act of 1972 (7 U.S.C. 2662), the full text of which appears in this Compilation.]

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SEC. 2349. [Amendment to section 502 of the Rural Development Act of 1972 (7 U.S.C. 2662), the full text of which appears in this Compilation.]

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SUBTITLE G-RURAL REVITALIZATION THROUGH FORESTRY

CHAPTER 1--FORESTRY RURAL REVITALIZATION

SEC. 2371.193 FORESTRY RURAL REVITALIZATION.

- (a) ESTABLISHMENT OF ECONOMIC DEVELOPMENT AND GLOBAL MARKETING PROGRAM.--The Secretary of Agriculture, acting through the Extension Service and the Cooperative Extension System, and in consultation with the Forest Service, shall establish and implement educational programs and provide technical assistance to assist businesses, industries, and policymakers to create jobs, raise incomes, and increase public revenues in manners consistent with environmental concerns.
 - (b) ACTIVITIES.--Each program established under subsection (a) shall--
 - (1) transfer technologies to natural resource-based industries in the United States to make such industries more efficient, productive, and competitive;
 - (2) assist businesses to identify global marketing opportunities, conduct business on an international basis, and market themselves more effectively; and

¹⁹³ 7 U.S.C. 6601.

- (3) train local leaders in strategic community economic development.
- (c) TYPES OF PROGRAMS.--The Secretary of Agriculture shall establish specific programs under subsection (a) to--
 - (1) deliver educational services focused on community economic analysis, economic diversification, economic impact analysis, retention and expansion of existing commodity and noncommodity industries, amenity resource and tourism development, and entrepreneurship focusing on forest lands and rural communities;
 - (2) use Cooperative Extension System databases and analytical tools to help communities diversify their economic bases, add value locally to raw forest product materials, and retain revenues by helping to develop local businesses and industries to supply forest products locally; and
 - (3) use the full resources of the Cooperative Extension Service, including land-grant universities and county offices, to promote economic development that is sustainable and environmentally sound.

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SUBTITLE H-MISCELLANEOUS PROVISIONS

SEC. 2381.¹⁵⁴ NATIONAL RURAL INFORMATION CENTER CLEARINGHOUSE.

- (a) ESTABLISHMENT.--The Secretary shall establish, within the National Agricultural Library, in coordination with the Extension Service, a National Rural Information Center Clearinghouse (in this section referred to as the "Clearinghouse") to perform the functions specified in subsection (b).
- (b) FUNCTIONS.--The Clearinghouse shall provide and distribute information and data to any industry, organization, or Federal, State, or local government entity, on request, about programs and services provided by Federal, State, and local agencies and private nonprofit organizations and institutions under which individuals residing in, or organizations and State and local government entities operating in, a rural area may be eligible for any kind of assistance, including job training, education, health care, and economic development assistance, and emotional and financial counseling. To the extent possible, the National Agricultural Library shall use telecommunications technology to disseminate information to rural areas.
- (c) FEDERAL AGENCIES.--On request of the Secretary, the head of a Federal agency shall provide to the Clearinghouse such information as the Secretary may request to enable the Clearinghouse to carry out subsection (b).
- (d) STATE AND LOCAL AGENCIES AND NONPROFIT ORGANIZATIONS.--The Secretary shall request State and local governments and private nonprofit organizations and institutions to provide to the Clearinghouse such information as such agencies and organizations may have about any program or service of such agencies, organizations, and institutions under which individuals residing in a rural area may be eligible for any kind of assistance, including job training, educational, health care, and economic development assistance, and emotional and financial counseling.
- (e) LIMITATION ON AUTHORIZATION OF APPROPRIATIONS.--To carry out this section, there are authorized to be appropriated \$500,000 for each of the fiscal years 1991 through 1995.

¹⁹⁴ 7 U.S.C. 3125b.

SEC. 2389. [Amendments to section 502 of the Rural Development Act of 1972 (7 U.S.C. 2662) contained in subsections (a), (b), and (c) of this section. Full text appears in this Compilation.]

(d)¹⁹⁵ EFFECT OF AMENDMENTS ON CURRENT GRANT RECIPIENTS.--The eight States receiving grants under section 502(f) of the Rural Development Act of 1972 (7 U.S.C. 2662(f)) during fiscal year 1990 shall continue to be eligible to receive grants (in an amount not to exceed the amount received during that fiscal year) under that section notwithstanding that such grants be awarded competitively, so long as such States comply with the requirement under subparagraph (C) that not less than one-half of such grant amount shall be used for clinical outreach counseling and crisis management assistance.

SEC. 2390.1% RURAL HEALTH AND SAFETY EDUCATION.

- (a) SHORT TITLE.--This section may be cited as the "Rural Health and Safety Education Act of 1990".
- (b) [Amendments to section 502 of the Rural Development Act of 1972 (7 U.S.C. 2662), the full text of which appears in this Compilation.]

SEC. 2391.197 RURAL HEALTH INFRASTRUCTURE IMPROVEMENT.

- (a) GRANT FOR DEMONSTRATION PROJECT.--The Secretary of Agriculture shall award a grant for the establishment of a project to demonstrate a model approach to improving rural health infrastructure. The project established with such grant shall--
 - (1) carry out systematic, community-based rural health needs assessments;
 - (2) identify and coordinate available health services resources;
 - (3) improve community infrastructure through health education and information and leadership development and training; and
 - (4) develop community generated health improvement strategies.
- (b) PROJECT IMPLEMENTATION.--The project established under subsection (a) shall be implemented through the cooperation of--
 - (1) an academic medical center with accredited health professions schools, including schools of medicine, dentistry, public health, nursing, and allied health;
 - (2) the Cooperative Extension System of a land-grant university; and

* * * *

¹⁹⁵ 7 U.S.C. 2662 note.

¹⁹⁶ 7 U.S.C. 2661 note.

¹⁹⁷ 7 U.S.C. 2662 note.

- (3) county-based citizens' organizations concerned with rural health services.
- (c) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.--To carry out subsection (a), there are authorized to be appropriated such sums as may be necessary in each fiscal year. Amounts appropriated under this subsection shall remain available until expended.

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FOOD, AGRICULTURE, CONSERVATION, AND TRADE ACT OF 1990

PUBLIC LAW 101-624, NOVEMBER 28, 1990

TITLE XXIV-GLOBAL CLIMATE CHANGE



TITLE XXIV-GLOBAL CLIMATE CHANGE

SEC. 2401.198 SHORT TITLE.

This title may be cited as the "Global Climate Change Prevention Act of 1990".

SEC. 2402.199 GLOBAL CLIMATE CHANGE PROGRAM.

(a) ESTABLISHMENT.--For the purpose of having within the Department of Agriculture a focal point for coordinating all issues of climate change, the Secretary of Agriculture (hereafter in this title referred to as the "Secretary") shall establish a Global Climate Change Program (hereafter in this section referred to as the "Program"). The Secretary shall designate a director of the Program who shall be responsible to the Secretary for carrying out the duties specified in subsections (b) and (c).

(b) GENERAL DUTIES .-- The Director shall--

- (1) coordinate policy analysis, long range planning, research, and response strategies relating to climate change issues;
- (2) provide liaison with other Federal agencies, through the Office of Science and Technology Policy, regarding issues of climate change;
- (3) inform the Department of scientific developments and policy issues relating to the effects of climate change on agriculture and forestry, including broader issues that affect the impact of climate change on the farms and forests of the United States;
- (4) recommend to the Secretary alternative courses of action with which to respond to such scientific developments and policy issues; and
- (5) ensure that recognition of the potential for climate change is fully integrated into the research, planning, and decisionmaking processes of the Department.

(c) SPECIFIC RESPONSIBILITIES .-- The Director shall--

- (1) coordinate the global climate change studies required by section 2403;
- (2) provide, through such other agencies as the Secretary determines appropriate, competitive grants for research in climatology relating to the potential impact of climate change on agriculture;
 - (3) coordinate the participation of the Department in interagency climate-related activities;
- (4) consult with the National Academy of Sciences and private, academic, State, and local groups with respect to climate research and related activities;
- (5) represent the Department to the Office of Science and Technology Policy and coordinate the activities of the Department in response to requirements of this title;

¹⁹⁸ 7 U.S.C. 6701 note.

^{199 7} U.S.C. 6701.

- (6) represent the Department on the Intergovernmental Panel on Climate Change; and
- (7) review all Department budget items relating to climate change issues, including specifically the research budget to be submitted by the Secretary to the Office of Science and Technology Policy and the Office of Management and Budget.

SEC. 2403.²⁰⁰ STUDY OF GLOBAL CLIMATE CHANGE, AGRICULTURE, AND FORESTRY.

- (a) CROPS .--
- (1) IN GENERAL.--The Secretary shall study the effects of global climate change on agriculture and forestry. The study shall, at a minimum address--
 - (A) the effects of simultaneous increases in temperature and carbon dioxide on crops of economic significance;
 - (B) the effects of more frequent or more severe weather events on such crops;
 - (C) the effects of potential changes in hydrologic regimes on current crop yields;
 - (D) the economic effects of widespread and increased drought frequency in the south, midwest, and plains States; and
 - (E) changes in pest problems due to higher temperatures.
- (2) FURTHER STUDIES.--If the results of the study conducted under paragraph (1) warrant, the Secretary shall conduct further studies that address the means of mitigating the effects of global climate change on crops of economic significance that shall, at a minimum--
 - (A) identify whether climate change tolerance can be bred into these crops, the amount of time necessary for any such breeding, and the effects on the income of farmers;
 - (B) evaluate existing genetic resource and breeding programs for crops for their ability to develop new varieties that can tolerate potential climate changes; and
 - (C) assess the potential for the development of crop varieties that are tolerant to climate changes and other environmental stresses, such as drought, pests, and salinity.
- (b) FORESTS.--The Secretary shall conduct a study on the emissions of methane, nitrous oxide, and hydrocarbons from tropical and temperate forests, the manner in which such emissions may affect global

climate change; the manner in which global climate change may affect such emissions; and the manner in which such emissions may be reduced through management practices. The study shall, at a minimum--

- (1) obtain measurements of nitrous oxide, methane, and nonmethane hydrocarbons from tropical and temperate forests;
- (2) determine the manner in which the nitrous oxide, methane, and nonmethane hydrocarbon emissions from temperate and tropical forest systems will respond due to climate change; and

²⁰⁰ 7 U.S.C. 6702.

- (3) identify and address alternative management strategies for temperate and tropical forests that may mitigate any negative effects of global climate change.
- (c) REPORTS.--The Secretary shall submit reports of the studies conducted under subsections (a) and (b) within 3 and 6 years, respectively, after the date of enactment of this Act to the Committee on Agriculture and the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Agriculture, Nutrition, and Forestry of the Senate. In addition, interim reports regarding such studies shall be provided by the Secretary to such Committees annually, with recommendations for actions which may be taken to mitigate the negative effects of global climate change and to adapt to global climate changes and related phenomena.

SEC. 2404.201 TECHNICAL ADVISORY COMMITTEE.

- (a) ESTABLISHMENT.--The Secretary of Agriculture shall establish a technical advisory committee to provide advice to the Secretary concerning the major study areas required under this title.
- (b) MEMBERS.--The committee established under subsection (a) shall be composed of such representatives of universities, professional societies, government laboratories, and agricultural, environmental and other organizations as the Secretary of Agriculture, in consultation with the Office of Science and Technology Policy and the Administrator of the Environmental Protection Agency, determines appropriate based on an assessment by the Secretary of qualifications required for service on such committee. Appointments to such committee shall be made not later than 90 days after the date of the enactment of this Act. Such committee shall have a chairperson who shall be elected by the members of the committee from among such members.

SEC. 2405.²⁰² OFFICE OF INTERNATIONAL FORESTRY.

- (a) ESTABLISHMENT.--The Secretary, acting through the Chief of the Forest Service, shall establish an Office of International Forestry within the Forest Service within six months after the date of enactment of this Act.
- (b) DEPUTY CHIEF DESIGNATION.--The Chief shall appoint a Deputy Chief for International Forestry.
 - (c) DUTIES.--The Deputy Chief shall--
 - (1) be responsible for the international forestry activities of the Forest Service;
 - (2) coordinate the activities of the Forest Service in implementing the provisions of this title; and
 - (3) serve as Forest Service liaison to the director for the program established pursuant to section 2402.

²⁰¹ 7 U.S.C. 6703.

²⁰² 7 U.S.C. 6704.

SEC. 2406.²⁰³ LINE ITEM.

The President's proposed budget to Congress for the first fiscal year beginning after the date of enactment of this Act and for each subsequent fiscal year shall specifically identify funds to be spent on Forest Service international cooperation and assistance.

SEC. 2407.204 INSTITUTES OF TROPICAL FORESTRY.

The Secretary is authorized and directed to establish an Institute of Tropical Forestry in Puerto Rico and an Institute of Pacific Islands Forestry (hereafter in this section referred to as the "Institutes"). The Institutes shall conduct research on forest management and natural resources that shall include--

- (1) management and development of tropical forests;
- (2) the relationship between climate change and tropical forests;
- (3) threatened and endangered species;
- (4) recreation and tourism;
- (5) development of tropical forest resources on a sustained yield basis;
- (6) techniques to monitor the health and productivity of tropical forests;
- (7) tropical forest regeneration and restoration; and
- (8) the effects of tropical deforestation on biodiversity, global climate, wildlife, soils, and water.

SEC. 2408. THE FOREST AND RANGELAND RENEWABLE RESOURCES PLANNING ACT OF 1974.

- (a) RENEWABLE RESOURCE ASSESSMENT.--Section 3(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1601(a)) is amended--
 - (1) in paragraph (3), by striking "and" at the end thereof;
 - (2) in paragraph (4), by striking the period and inserting "; and"; and
 - (3) by adding at the end thereof the following new paragraphs:
 - "(5) an analysis of the potential effects of global climate change on the condition of renewable resources on the forests and rangelands of the United States; and
 - "(6) an analysis of the rural and urban forestry opportunities to mitigate the buildup of atmospheric carbon dioxide and reduce the risk of global climate change,".
- (b) RENEWABLE RESOURCE PROGRAM.--Section 4 of such Act (16 U.S.C. 1602) is amended in paragraph (5)--

²⁰³ 7 U.S.C. 6705.

²⁰⁴ 7 U.S.C. 6706.

- (1) by striking "and" at the end of subparagraph (D);
- (2) by striking the period at the end of subparagraph (E) and inserting "; and"; and
- (3) by adding at the end thereof the following new subparagraph:
 - "(F) account for the effects of global climate change on forest and rangeland conditions, including potential effects on the geographic ranges of species, and on forest and rangeland products.".

SEC. 2409.205 URBAN FORESTRY DEMONSTRATION PROJECTS.

The Secretary is authorized to undertake, through the Forest Service's Northeastern Area State and Private Forestry program, a study and pilot implementation project to demonstrate the benefits of retaining and integrating forests in urban development. The focus of such a study and implementation project should be to protect the environment and associated natural resource values, for current and future generations.

SEC. 2410.²⁰⁶ BIOMASS ENERGY DEMONSTRATION PROJECTS.

The Secretary, in consultation with the Secretary of Energy, may carry out projects that demonstrate the potential of short-rotation silvicultural methods to produce wood for electricity production and industrial energy needs. In carrying out such projects, the Secretary shall cooperate with private industries, Federal and State agencies, and other organizations.

SEC. 2411.207 INTERAGENCY COOPERATION TO MAXIMIZE BIOMASS GROWTH.

The Secretary may enter into an agreement with the Secretary of Defense to-

- (1) conduct a study of reforestation and improved management of Department of Defense military installations and lands; and
- (2) develop a program to manage such forests and lands so as to maximize their potential for biomass growth and sequestering carbon dioxide.

SEC. 2412.²⁰⁸ AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1991 through 1996, to carry out this title.

²⁰⁵ 7 U.S.C. 6707.

²⁰⁶ 7 U.S.C. 6708.

²⁰⁷ 7 U.S.C. 6709.

²⁰⁸ 7 U.S.C. 6710.



FOOD, AGRICULTURE, CONSERVATION, AND TRADE ACT OF 1990

PUBLIC LAW 101-624, NOVEMBER 28, 1990

TITLE XXV-OTHER RELATED PROVISIONS

TITLE XXV-OTHER RELATED PROVISIONS

SEC. 2501.²⁰⁹ OUTREACH AND ASSISTANCE FOR SOCIALLY DISADVANTAGED FARMERS AND RANCHERS.

(a) OUTREACH AND ASSISTANCE .--

- (1) IN GENERAL.--The Secretary of Agriculture (hereafter referred to in this section as the "Secretary") shall provide outreach and technical assistance to encourage and assist socially disadvantaged farmers and ranchers to own and operate farms and ranches and to participate in agricultural programs. This assistance should include information on application and bidding procedures, farm management, and other essential information to participate in agricultural programs.
- (2) GRANTS AND CONTRACTS.--The Secretary may make grants and enter into contracts and other agreements in the furtherance of this section with the following entities--
 - (A) any community based organization that--
 - (i) has demonstrated experience in providing agricultural education or other agriculturally related services to socially disadvantaged farmers and ranchers;
 - (ii) provides documentary evidence of its past experience of working with socially disadvantaged farmers and ranchers during the two years preceding its application for assistance under this section; and
 - (iii) does not engage in activities prohibited under section 501(c)(3) of the Internal Revenue Code of 1986; and
 - (B) 1890 Land-Grant Colleges including Tuskegee Institute, Indian tribal community colleges and Alaska native cooperative colleges, Hispanic serving post-secondary educational institutions, and other post-secondary educational institutions with demonstrated experience in providing agriculture education or other agriculturally related services to socially disadvantaged family farmers and ranchers in their region.
- (3) FUNDING.--There are authorized to be appropriated \$10,000,000 for each fiscal year to carry out this section.

(b) DESIGNATION OF FEDERAL PERSONNEL.--

- (1) IN GENERAL.--The Secretary shall designate from existing Federal personnel resources in the county or region a qualified person who shall, in cooperation with the State cooperative extension services, implement the policies and programs established or modified in accordance with this section.
- (2) ADDITIONAL PERSONNEL.--In counties or regions in which the number of socially disadvantaged farmers and ranchers exceeds 25 percent of the total number of farmers and ranchers in the county or region, the Secretary shall designate additional personnel to implement the policies and programs established or modified in accordance with this section.

²⁰⁹ 7 U.S.C. 2279.

(c) REPORT TO CONGRESS .--

- (1) IN GENERAL.--Not later than September 30, 1992, and every two years thereafter, the Secretary shall report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, regarding--
 - (A) the efforts of the Secretary to enhance participation by members of socially disadvantaged groups in agricultural programs;
 - (B) the specific participation goals established for each agricultural program;
 - (C) the results achieved for each agricultural210; and
 - (D) the progress of the Department towards meeting each of the purposes described in paragraph (2)(C).
- (2) CONTENTS.--In addition to the information specified in paragraph (1), the report required by paragraph (1) shall include--
 - (A) a comparison of the participation goals and the actual participation rates of members of socially disadvantaged groups in each agricultural program;
 - (B) an analysis and explanation of the reasons for the success or failure of the Secretary to achieve the goals, and the overall purposes of this section;
 - (C) a listing, on a State-by-State and county-by-county basis, of--
 - (i) the amount of funds loaned to members of socially disadvantaged groups; and
 - (ii) the amount of funds used to guarantee loans to members of socially disadvantaged groups compared to the total amount of such guarantees;
 - (D) a breakdown in allocation of crop base in each program crop compared to the target participation rates established pursuant to sections 355(a)(1) and 355(c) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(a)(1)), on a State-by-State and county-by-county basis; and
 - (E) a review and analysis of participation by members of socially disadvantaged groups, compared to participation by all others, in agricultural programs, on a State-by-State and county-by-county basis, including a survey representative of all farmers and ranchers, including socially disadvantaged farmers and ranchers, to identify reasons for participation and nonparticipation in agricultural programs.

(d) AFFIRMATIVE ACTION, APPEALS, AND CONTRACTING REVIEW.--

(1) PURPOSE.--It is the purpose of this subsection to direct the Secretary to analyze within the Department of Agriculture the design and implementation of affirmative action programs and policies, the appeals process for complaints of discrimination, and contracting and purchasing practices employed by the Department.

²¹⁰ So in original.

- (2) SCOPE .-- The study shall include--
 - (A) an assessment of the successes and failures of these affirmative action programs and policies;
 - (B) a review of the reasons for the successes and failures described in subparagraph (A);
 - (C) a review of procurement, contracting, and purchasing policies of the Department, the level of participation of socially disadvantaged businesses in such activities, and the impact of those policies on the participation of members of socially disadvantaged groups in such contracting with the Department;
 - (D) a review of the reasons for participation or lack of participation of businesses owned by members of socially disadvantaged groups in the activities described in subparagraph (C); and
 - (E) a review of the appeals process for all complaints or allegations regarding acts, practices, or patterns of discrimination filed with the Department by individuals or any other entities that shall include--
 - (i) the number of complaints or allegations regarding acts, practices, or patterns of discrimination;
 - (ii) the manner in which the complaints were investigated and resolved by the Department; and
 - (iii) the longest, shortest, and average periods of time taken to investigate and resolve the complaints or allegations regarding acts, practices, or patterns of discrimination.
- (3) REPORT.--Not later than 1 year after the date of enactment of this Act, the Secretary shall prepare and submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report containing the information described in paragraph (2).

(e) DEFINITIONS .--

- (1) SOCIALLY DISADVANTAGED GROUP.--As used in this section, the term "socially disadvantaged group" means a group whose members have been subjected to racial or ethnic prejudice because of their identity as members of a group without regard to their individual qualities.
- (2) SOCIALLY DISADVANTAGED FARMER OR RANCHER.--As used in this section, the term "socially disadvantaged farmer or rancher" means a farmer or rancher who is a member of a socially disadvantaged group.
- (3) AGRICULTURE PROGRAMS.--As used in this section, the term "agriculture programs" are those established or authorized by--
 - (A) the Agricultural Act of 1949;
 - (B) the Consolidated Farm and Rural Development Act;

- (C) the Agricultural Adjustment Act of 1938;
- (D) the Soil Conservation Act;
- (E) the Domestic Allotment Assistance Act;
- (F) the Food Security Act of 1985; and
- (G) other such Acts as the Secretary deems appropriate.
- (F) AMENDMENT TO CONSOLIDATED FARM AND RURAL DEVELOPMENT ACT.--Section 355 of the Consolidated Farm and Rural Development Act is amended--
 - (1) by striking out subsection (d);
 - (2) by redesignating subsection (c) as subsection (d);
 - (3) by inserting after subsection (b) the following new subsection:
 - "(c) OPERATING LOANS .--
 - "(1) ESTABLISHMENT.--The Secretary shall establish annual target participation rates, that shall ensure that socially disadvantaged farmers or ranchers will receive loans made or insured under subtitle B. In establishing such target rates, the Secretary shall consider the number of socially disadvantaged farmers and ranchers in a State in proportion to the total number of farmers and ranchers in that State.
 - "(2) RESERVATION AND ALLOCATION.--The Secretary shall, to the greatest extent practicable, reserve and allocate the proportion of each State's loan funds made available under subtitle B that is equal to that State's target participation rate for use by the socially disadvantaged farmers or ranchers in that State. The Secretary shall, to the extent practicable, distribute the total so derived on a county by county basis according to the number of socially disadvantaged farmers or ranchers in the county. Any funds reserved and allocated for purposes of this paragraph, but not used shall be reallocated within such State."; and
 - (4) by inserting after subsection (d) (as so redesignated) the following new subsection:
 - "(e) DEFINITIONS.--
 - "(1) SOCIALLY DISADVANTAGED GROUP.--As used in this section, the term 'socially disadvantaged group' means a group whose members have been subjected to racial or ethnic prejudice because of their identity as members of a group without regard to their individual qualities.
 - "(2) SOCIALLY DISADVANTAGED FARMER OR RANCHER.--As used in this section, the term 'socially disadvantaged farmer or rancher' means a farmer or rancher who is a member of a socially disadvantaged group.";

(g) RESERVATIONS .--

- (1) CONSOLIDATED SUBOFFICE.--The Secretary shall require the Agricultural Stabilization and Conservation Service, Soil Conservation Service, and Farmers Home Administration offices, and such other offices and functions the Secretary may choose to include, in each county that has a reservation within its borders, to establish a consolidated suboffice at the tribal headquarters of said reservation and to staff said suboffice as needed, using existing staff, but no less than one day a week or under such other arrangement agreed to by the tribe and the Department of Agriculture offices. The tribe shall be required to provide the necessay office space if it wishes to participate in this program.
- (2) COOPERATIVE AGREEMENTS.--For those reservations that are located in more than one county, the Secretary, the relevant county offices and the tribe shall enter into a cooperative agreement to provide the services required by paragraph (1) that avoids duplication of effort.

SEC. 2506.211 PSEUDORABIES ERADICATION.

- (a) FINDINGS.--Congress finds that efforts to eradicate pseudorabies in United States swine populations by the Department of Agriculture in cooperation with State agencies and the pork industry have a high priority and should be continued until pseudorabies is completely eradicated in the United States.
- (b) ESTABLISHMENT OF PROGRAM.--The Secretary of Agriculture shall establish and carry out a program for the eradication of pseudorabies in United States swine populations.
- (c) USE OF FUNDS FOR TESTING AND CONTROL OF PSEUDORABIES.--The Secretary shall ensure that not less than 65 percent of the funds appropriated for the program established under subsection (b) shall be used for testing and screening of animals and for other purposes directly related to the eradication or control of pseudorabies. This requirement on the use of appropriated funds for this program shall not be implemented in a manner that would adversely affect any other animal or plant disease or pest eradication or control program.
- (d) AUTHORIZATION OF APPROPRIATIONS.--There are authorized to be appropriated for each of the fiscal years 1991 through 1995 such sums as may be necessary for the purpose of carrying out the program established under subsection (b).

SEC. 2510. USER FEES FOR REPORTS, PUBLICATIONS, AND SOFTWARE.

Section 1121 of the Agriculture and Food Act of 1981 (7 U.S.C. 2242a) is amended by adding at the end the following new subsection:

"(d) INVESTMENT.--Any fees collected, late payment penalties, and interest earned shall be credited to the account referred to in this section and may be invested by the Secretary of Agriculture in insured or fully-collateralized interest-bearing accounts or, at the discretion of the Secretary of Agriculture, by the Secretary of the Treasury in United States Government debt instruments. Fees and charges, including late payment penalties and interest earned from the investment of such funds shall be credited to such account."

²¹¹ 21 U.S.C. 114i.

* * * *

SEC. 2515.²¹² SCARCE FEDERAL RESOURCES.

Notwithstanding any other provision of this Act, to conserve scarce Federal resources, the Secretary of Agriculture may after concurrence with the Chairman and Ranking Member of the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Chairman and Ranking Member of the Committee on Agriculture of the House of Representatives, rank by priority the studies or reports authorized by this Act and determine which of those studies or reports shall be completed. The Secretary shall complete at least 12 such studies or reports.

* * * *

²¹² 7 U.S.C. 1421 note.

NATIONAL AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING POLICY ACT AMENDMENTS OF 1985

(Contained in the Food Security Act of 1985)

NATIONAL AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING POLICY ACT AMENDMENTS OF 1985²¹³

TITLE XIV-AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING

SUBTITLE A-GENERAL PROVISIONS

SHORT TITLE

SEC. 1401. This title may be cited as the "National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985".

FINDINGS

SEC. 1402. [Amendments to section 1402 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (99 Stat. 1542; 7 U.S.C. 3101 note).]

DEFINITIONS

SEC. 1403. [Amendments to section 1404(8) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (99 Stat. 1544; 7 U.S.C. 3103(8)).]

RESPONSIBILITIES OF THE SECRETARY OF AGRICULTURE

SEC. 1404. [Amendments to section 1405 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (99 Stat. 1544; 7 U.S.C. 3121).]

JOINT COUNCIL ON FOOD AND AGRICULTURAL SCIENCES

SEC. 1405. [Amendments to section 1407 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (99 Stat. 1545; 7 U.S.C. 3122).]

NATIONAL AGRICULTURAL RESEARCH AND EXTENSION USERS ADVISORY BOARD

SEC. 1406. [Amendments to section 1408 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (99 Stat. 1545; 7 U.S.C. 3123).]

FEDERAL-STATE PARTNERSHIP

SEC. 1407. [Amendments to section 1409A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (99 Stat. 1545; 7 U.S.C. 3124).]

²¹³ The National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985 are set forth in Title XIV of the Food Security Act of 1985, Public Law 99-198, 99 Stat. 1542.

REPORT OF THE SECRETARY OF AGRICULTURE

SEC. 1408. [Amendments to section 1410 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (99 Stat. 1546; 7 U.S.C. 3125).]

COMPETITIVE, SPECIAL, AND FACILITIES RESEARCH GRANTS

SEC. 1409. [Amendments to section 2 of the Act entitled "An Act to facilitate the work of the Department of Agriculture, and for other purposes", approved August 4, 1965 (99 Stat. 1546; 7 U.S.C. 450i).]

GRANTS FOR SCHOOLS OF VETERINARY MEDICINE

SEC. 1410. [Amendment to section 1415 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (99 Stat. 1547; 7 U.S.C. 3151).]

RESEARCH FACILITIES

SEC. 1411. [Amendments to the Act entitled "An Act to assist the States to provide additional facilities for research at the State agricultural experiment stations", approved July 22, 1963 (99 Stat. 1547; 7 U.S.C. 390).]

GRANTS AND FELLOWSHIPS FOR FOOD AND AGRICULTURAL SCIENCES EDUCATION

SEC. 1412. [Amendments to section 1417 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (99 Stat. 1548; 7 U.S.C. 3152).]

FOOD AND HUMAN NUTRITION RESEARCH AND EXTENSION PROGRAM

SEC. 1413. [Repeal of sections 1424 and 1427 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (99 Stat. 1549; 7 U.S.C. 3174 and 3177).]

ANIMAL HEALTH AND DISEASE RESEARCH

SEC. 1414. [Amendments to sections 1432, 1433, and 1434 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (99 Stat. 1549; 7 U.S.C. 3194, 3195, and 3196).]

EXTENSION AT 1890 LAND-GRANT COLLEGES

SEC. 1415. [Amendments to section 1444 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (99 Stat. 1549; 7 U.S.C. 3221).]

GRANTS TO UPGRADE 1890 LAND-GRANT COLLEGE EXTENSION FACILITIES

SEC. 1416.²¹⁴ (a) It is the intent of Congress to assist institutions eligible to receive funds under the Act of August 30, 1890 (26 Stat. 417, chapter 841; 7 U.S.C. 321 et seq.), including Tuskegee Institute (hereafter in this section referred to as "eligible institutions"), in the acquisition and improvement of extension facilities and equipment so that eligible institutions may participate fully with the State cooperative extension services in a balanced way in meeting the extension needs of the people of their respective States.

²¹⁴ 7 U.S.C. 3224.

- (b) There are authorized to be appropriated for the purpose of carrying out this section \$10,000,000 for each of the fiscal years 1991 and 1992²¹⁵, such sums to remain available until expended.
- (c) Four percent of the sums appropriated under this section shall be available to the Secretary of Agriculture for administration of the grants program under this section. The remaining funds shall be made available for grants to the eligible institutions for the purpose of assisting the institutions in the purchase of equipment and land, and the planning, construction, alteration, or renovation of buildings, to provide adequate facilities to conduct extension work in their respective States.
- (d) Grants awarded under this section shall be made in such amounts and under such terms and conditions as the Secretary of Agriculture shall determine necessary for carrying out this section.
- (e) Federal funds provided under this section may not be used for the payment of any overhead costs of the eligible institutions.
- (f) The Secretary of Agriculture may promulgate such rules and regulations as the Secretary considers necessary to carry out this section.

RESEARCH AT 1890 LAND-GRANT COLLEGES

SEC. 1417. [Amendments to section 1445 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (99 Stat. 1550; 7 U.S.C. 3222).]

INTERNATIONAL AGRICULTURAL RESEARCH AND EXTENSION

SEC. 1418. [Amendments to section 1458 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (99 Stat. 1550; 7 U.S.C. 3291).]

INTERNATIONAL TRADE DEVELOPMENT CENTERS

SEC. 1419. [Amendment adds a new section 1458A to the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (99 Stat. 1550; 7 U.S.C. 3292).]

AGRICULTURAL INFORMATION EXCHANGE WITH IRELAND

- SEC. 1420. (a) The Secretary of Agriculture shall undertake discussions with representatives of the Government of Ireland that may lead to an agreement that will provide for the development of a program between the United States and Ireland whereby there will be--
 - (1) a greater exchange of--
 - (A) agricultural scientific and educational information, techniques, and data;
 - (B) agricultural marketing information, techniques, and data; and
 - (C) agricultural producer, student, teacher, agribusiness (private and cooperative) personnel; and

²¹⁵ The Food, Agriculture, Conservation, and Trade Act of 1990, section 1601(d)(1), 104 Stat. 3704, amended subsection (b) by deleting the words "ending September 30, 1986, through September 30, 1990" and inserting in lieu thereof the words "1991 and 1992".

- (2) the fostering of joint investment ventures, cooperative research, and the expansion of United States trade with Ireland.
- (b) The Secretary shall periodically report to the Chairman of the Committee on Agriculture of the House of Representatives and the Chairman of the Committee on Agriculture, Nutrition, and Forestry of the Senate to keep such Committees apprised of the progress and accomplishments, and such other information as the Secretary considers appropriate, with regard to the development of such program.

STUDIES

SEC. 1421. [Repeals sections 1459, 1460, 1461, and 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (99 Stat. 1552; 7 U.S.C. 3301-3304).]

AUTHORIZATION FOR APPROPRIATIONS FOR CERTAIN AGRICULTURAL PROGRAMS

SEC. 1422. [Amendments to section 1463 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (99 Stat. 1552; 7 U.S.C. 3311).]

AUTHORIZATION FOR APPROPRIATIONS FOR EXTENSION EDUCATION

SEC. 1423. [Amendment to section 1464 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (99 Stat. 1552; 7 U.S.C. 3312).]

CONTRACTS, GRANTS, AND COOPERATIVE AGREEMENTS

SEC. 1424. [Amendments to section 1472 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (99 Stat. 1552; 7 U.S.C. 3318).]

INDIRECT COSTS

SEC. 1425. [Amendment to section 1473 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (99 Stat. 1553; 7 U.S.C. 3319).]

COST-REIMBURSABLE AGREEMENTS

SEC. 1426. [Amendment adds a new section 1473A to the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (99 Stat. 1553; 7 U.S.C. 3319a).]

TECHNOLOGY DEVELOPMENT

SEC. 1427. [Amendments add new sections 1473B and 1473C to the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (99 Stat. 1553; 7 U.S.C. 3319b and c).]

SUPPLEMENTAL AND ALTERNATIVE CROPS

SEC. 1428. [Amendment adds a new section 1473D to the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (99 Stat. 1554; 7 U.S.C. 3319d).]

AQUACULTURE

SEC. 1429. [Amendments to section 1475, repeal of section 1476, and amendment to section 1477 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (99 Stat. 1555; 7 U.S.C. 3322).]

RANGELAND RESEARCH

SEC. 1430. [Amendment to section 1482 and section 1483 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (99 Stat. 1556; 7 U.S.C. 3335 and 3336).]

AUTHORIZATION FOR APPROPRIATIONS FOR FEDERAL AGRICULTURAL RESEARCH FACILITIES

- SEC. 1431. (a) There are authorized to be appropriated for each of the fiscal years 1991 through 1995²¹⁶, such sums as may be necessary for the planning, construction, acquisition, alteration, and repair of buildings and other public improvements, including the cost of acquiring or obtaining rights to use land, of or used by the Agricultural Research Service, except that--
 - (1) the cost of planning any one facility shall not exceed \$500,000; and
 - (2) the total cost of any one facility shall not exceed \$5,000,000.
- (b) Not later than 60 days after the end of each of the fiscal years 1991 through 1995³, the Secretary of Agriculture shall submit to the Committee on Agriculture of the House of Representatives and to the Committee on Agriculture, Nutrition, and Forestry of the Senate a report specifying--
 - (1) the location of each building, laboratory, research facility, and other public improvement of or to be used by the Agricultural Research Service that is planned, constructed, acquired, repaired, or remodeled, with funds appropriated under subsection (a), in the fiscal year involved; and
 - (2) with respect to each such building, laboratory, research facility, and improvement-
 - (A) the amount of such funds obligated in the fiscal year; and
 - (B) the amount of such funds expended in the fiscal year for such item.

DAIRY GOAT RESEARCH

SEC. 1432. [Amendment to section 1432 of the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1981 (99 Stat. 1557; 7 U.S.C. 3222 note).]

²¹⁶ The Food, Agriculture, Conservation, and Trade Act of 1990, section 1601(d)(2), 104 Stat. 3704, amended subsections (a) by deleting the words "ending September 30, 1988, through September 30, 1990" and inserting in lieu thereof the words "1991 through 1995"; and amended subsection (b) by deleting the words "ending September 30, 1986, through September 30, 1990" and inserting in lieu thereof the words "1991 through 1995".

GRANTS TO UPGRADE 1890 LAND-GRANT COLLEGE RESEARCH FACILITIES

SEC. 1433. [Amendments to section 1433 of the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1981 (99 Stat. 1557; 7 U.S.C. 3223).]

SOYBEAN RESEARCH ADVISORY INSTITUTE

SEC. 1434. [Repeal of section 1446 of the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1981 (99 Stat. 1557; 7 U.S.C. 2281 note).]

SMITH-LEVER ACT

- SEC. 1435. [Amendments contained in (a) and (b) to the Act of May 8, 1914 (commonly known as the Smith-Lever Act) (99 Stat. 1557; 7 U.S.C. 342 and 343).]
 - (c)(1) The Secretary of Agriculture shall conduct a study to determine whether any funds that are-
 - (A) appropriated after the date of the enactment of this Act to carry out the Smith-Lever Act (7 U.S.C. 341 et seq.), other than section 8 of such Act (7 U.S.C. 347a); and
 - (B) in excess of the aggregate amount appropriated to carry out the Smith-Lever Act (other than section 8 of such Act) in the fiscal year ending September 30, 1985,

can be allocated more effectively among the States.

- (2) Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report summarizing the results of such study and containing the recommendations of the Secretary regarding the allocation of such funds.
 - (d) This section and the amendments made by this section shall become effective on October 1, 1985.

MARKET EXPANSION RESEARCH

- SEC. 1436.²¹⁷ (a) The Secretary of Agriculture, using available funds, shall increase and intensify research programs conducted by or for the Department of Agriculture that are directed at developing technology to overcome barriers to expanded sales of United States agricultural commodities and the products thereof in domestic and foreign markets, including research programs for the development of procedures to meet plant quarantine requirements and improvement in the transportation and handling of perishable agricultural commodities.
- (b)(1) The Secretary of Agriculture shall conduct a research and development program to formulate new uses for farm and forest products. Such program shall include, but not be limited to, research and development of industrial, new, and value-added products.
- (2) To the extent practicable, the Secretary of Agriculture shall carry out the program authorized in this subsection with colleges and universities, private industry, and Federal and State entities through a combination of grants, cooperative agreements, contracts, and interagency agreements.

²¹⁷ 7 U.S.C. 1632.

- (3)(A) There are authorized to be appropriated such sums as are necessary to carry out the program authorized under this subsection.
- (B) In addition, the Secretary may use funds appropriated or made available to the Secretary under provisions of law other than subparagraph (A) to carry out such program.
- (C) To the extent requests are made for matching funds under such program, the total amount of funds used by the Secretary to carry out the program under this subsection may not be less than \$10,000,000 for each of the fiscal years ending September 30, 1986, through September 30, 1990.
- (4) Funds appropriated under subparagraph (A) or made available under subparagraph (B) may be transferred among appropriation accounts to carry out the purposes of the program authorized under this subsection.
- (5) Notwithstanding any other provision of law, the Federal share of the cost of each research or development project funded under this subsection may not exceed 50 percent of the cost of such project.

PESTICIDE RESISTANCE STUDY

- SEC. 1437. (a) The Secretary of Agriculture is encouraged to conduct a study on the detection and management of pesticide resistance and, within 1 year after the date of enactment of this Act, submit to the President and Congress a report on such study.
 - (b) The study shall include--
 - (1) a review of existing efforts to examine and identify the mechanisms, genetics, and ecological dynamics of target populations of insect and plant pests developing resistance to pesticides;
 - (2) a review of existing efforts to monitor current and historical patterns of pesticide resistance; and
 - (3) a strategy for the establishment of a national pesticide resistance monitoring program, involving Federal, State, and local agencies, as well as the private sector.

EXPANSION OF EDUCATION STUDY

- SEC. 1438. (a) The Secretary of Agriculture and the Secretary of Education are authorized to take such joint action as may be necessary to expand the scope of the study, known as the Study of Agriculture Education on the Secondary Level, currently being conducted by the National Academy of Sciences and sponsored jointly by the Departments of Agriculture and Education to include--
 - (1) a study of the potential use of modern technology in the teaching of agriculture programs at the secondary school level; and
 - (2) recommendations of the National Academy of Sciences on how modern technology can be most effectively utilized in the teaching of agricultural programs at the secondary school level.
- (b) Any increase in the cost of conducting such study as a result of expanding the scope of such study pursuant to subsection (a) shall be borne by the Secretary of Agriculture out of funds appropriated to the Department of Agriculture for research and education or from funds made available to the National Academy of Sciences from private sources to expand the scope of such study.

CRITICAL AGRICULTURAL MATERIALS

SEC. 1439. [Amendments to section 5 of the Critical Agricultural Materials Act (99 Stat. 1559; 7 U.S.C. 178c).]

SPECIAL GRANTS FOR FINANCIALLY STRESSED FARMERS AND AND DISLOCATED FARMERS

SEC. 1440. [Amendments to Title V of the Rural Development Act of 1972 (99 Stat. 1560; 7 U.S.C. 2662).]

ANNUAL REPORT ON FAMILY FARMS

SEC. 1441. [Amendments to section 102(b) of the Food and Agriculture Act of 1977 (99 Stat. 1560; 7 U.S.C. 2266(b)).]

CONFORMING AMENDMENTS TO TABLES OF CONTENTS

SEC. 1442. [Amendments to tables of contents of the Food and Agriculture Act of 1977 and the Agriculture and Food Act of 1981 (99 Stat. 1561).]

SUBTITLE B-HUMAN NUTRITION RESEARCH

FINDINGS

SEC. 1451.²¹⁸ Congress finds that--

- (1) nutrition and health considerations are important to United States agricultural policy;
- (2) section 1405 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3121) designates the Department of Agriculture as the lead agency of the Federal Government for human nutrition research (except with respect to the biomedical aspects of human nutrition concerned with diagnosis or treatment of disease);
- (3) section 1423 of such Act (7 U.S.C. 3173) requires the Secretary of Agriculture to establish research into food and human nutrition as a separate and distinct mission of the Department of Agriculture;
 - (4) the Secretary has established a nutrition education program; and
- (5) nutrition research continues to be of great importance to those involved in agricultural production.

²¹⁸ 7 U.S.C. 3173 note.

HUMAN NUTRITION RESEARCH

- SEC. 1452.²¹⁹ (a) Not later than 1 year after the date of enactment of this Act, the Secretary of Agriculture (hereafter in this subtitle referred to as the "Secretary") shall submit to the appropriate committees of Congress a comprehensive plan for implementing a national food and human nutrition research program, including recommendations relating to research directions, educational activities, and funding levels necessary to carry out such plan.
- (b) Not later than 1 year after the date of the submission of the plan required under subsection (a), and each year thereafter, the Secretary shall submit to such committees an annual report on the human nutrition research activities conducted by the Secretary.

DIETARY ASSESSMENT AND STUDIES

- SEC. 1453.²²⁰ (a) The Secretary of Agriculture and the Secretary of Health and Human Services shall jointly conduct an assessment of existing scientific literature and research relating to--
 - (1) the relationship between dietary cholesterol and blood cholesterol and human health and nutrition; and
 - (2) dietary calcium and its importance in human health and nutrition.

In conducting the assessments under this subsection, the Secretaries shall consult with agencies of the Federal Government involved in related research. On completion of such assessments, the Secretaries shall each recommend such further studies as the Secretaries consider useful.

(b) Not later than 1 year after the date of enactment of this Act, the Secretary of Agriculture and the Secretary of Health and Human Services shall each submit to the House Committees on Agriculture and Energy and Commerce and the Senate Committees on Agriculture, Nutrition, and Forestry and Labor and Human Resources a report that shall include the results of the assessments conducted under subsection (a) and recommendations made under such subsection, for more complete studies of the issues examined under such subsection, including a protocol, feasibility assessment, budget estimates and a timetable for such research as each Secretary shall consider appropriate.

SUBTITLE C-AGRICULTURAL PRODUCTIVITY RESEARCH²²¹

DEFINITIONS

SEC. 1461.²²² For purposes of this subtitle:

(1) The term "extension" shall have the same meaning given to such term by section 1404(7) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(7)).

²¹⁹ 7 U.S.C. 3173 note.

²²⁰ 7 U.S.C. 3173 note.

The Food, Agriculture, Conservation, and Trade Act of 1990, section 1620, 104 Stat. 3724, repealed Subtitle C.

^{222 7} U.S.C. 4701.

- (2) The term "Secretary" means the Secretary of Agriculture.
- (3) The term "State" means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands of the United States, American Samoa, the Commonwealth of the Northern Mariana Islands, or the Trust Territory of the Pacific Islands.
- (4) The term "State agricultural experiment stations" shall have the meaning given to such term by section 1404(13) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3101(13)).

FINDINGS

SEC. 1462.²²³ Congress finds that--

- (1) highly productive and efficient agricultural systems and sound conservation practices are essential to ensure the long-term agricultural viability and profitability of farms and ranches in the United States;
- (2) agricultural research and technology transfer activities of the Secretary (including activities of the Extension Service, the Agricultural Research Service, and the Cooperative State Research Service), State cooperative extension services, land-grant and other colleges and universities, and State agricultural experiment stations--
 - (A) have contributed greatly to innovation in agriculture; and
 - (B) have a continuing role to play in improving agricultural productivity;
- (3) the annual irretrievable loss of billions of tons of precious topsoil through wind and water erosion reduces agricultural productivity;
- (4) many farmers and ranchers are highly dependent on machines and energy resources for agricultural production;
- (5) public funding of a properly planned and balanced agricultural research program is essential to improving efficiency in agricultural production and conservation practices; and
- (6) expanded agricultural research and extension efforts are needed to assist farmers and ranchers to--
 - (A) improve agricultural productivity; and
 - (B) implement soil, water, and energy conservation practices.

PURPOSES

SEC. 1463.²²⁴ It is the purpose of this subtitle to--

²²³ 7 U.S.C. 4702.

²²⁴ 7 U.S.C. 4703.

- (1) facilitate and promote scientific investigation in order to-
 - (A) enhance agricultural productivity;
 - (B) maintain the productivity of land;
 - (C) reduce soil erosion and loss of water and plant nutrients; and
 - (D) conserve energy and natural resources; and
- (2) facilitate the conduct of research projects in order to study agricultural production systems that-
 - (A) are located, to the extent practicable, in areas that possess various soil, climatic, and physical characteristics;
 - (B) have been, and will continue to be, managed using farm production practices that rely on--
 - (i) items purchased for the production of an agricultural commodity; and
 - (ii) a variety of conservation practices; and
 - (C) are subjected to a change from the practices described in subparagraph (B)(i) to the practices described in subparagraph (B)(ii).

INFORMATION STUDY

- SEC. 1464.²²⁵ (a) Subject to section 1468, the Secretary shall inventory and classify by subject matter all studies, reports, and other materials developed by any person or governmental agency with the participation or financial assistance of the Secretary, that could be used to promote the purposes of this subtitle.
 - (b) In carrying out subsection (a), the Secretary shall--
 - (1) identify, assess, and classify existing information and research reports that will further the purposes of this subtitle, including information and research relating to legume-crop rotation, the use of green manure, animal manures, and municipal wastes in agricultural production, soil acidity, liming in relation to nutrient release, intercropping, the role of organic matter in soil productivity and erosion control, the effect of topsoil loss on soil productivity, and biological methods of weed, disease, and insect control;
 - (2) identify which of such reports provide useful information and make such useful reports available to farmers and ranchers; and
 - (3) identify gaps in such information and carry out a research program to fill such gaps.

²²⁵ 7 U.S.C. 4704.

RESEARCH PROJECTS

- SEC. 1465.²²⁶ (a) Subject to section 1468, in cooperation with Federal and State research agencies and agricultural producers, the Secretary shall conduct such research projects as are needed to obtain data, draw conclusions, and demonstrate technologies necessary to promote the purposes of this subtitle.
- (b) In carrying out subsection (a), the Secretary shall conduct projects and studies in areas that are broadly representative of United States agricultural production, including production on small farms.
- (c) In carrying out subsection (a), the Secretary may conduct research projects involving crops, soils, production methods, and weed, insect, and disease pests on individual fields or other areas of land.
- (d) In the case of a research project conducted under this section that involves the planting of a sequence of crops, the Secretary shall conduct such project for a term of--
 - (1) at least 5 years; and
 - (2) to the extent practicable, 12 to 15 years.
- (e)(1) In coordination with the Extension Service and State cooperative extension services, the Secretary shall take such steps as are necessary to ensure that farmers and ranchers are aware of projects conducted under this section.
 - (2) The Secretary shall ensure that such projects are open for public observation at specified times.
- (f)(1) Subject to paragraph (2), the Secretary may indemnify an operator of a project conducted under this section for damage incurred or undue losses sustained as a result of a rigid requirement of research or demonstration under such project that is not experienced in normal farming operations.
- (2) An indemnity payment under paragraph (1) shall be subject to any agreement between a project grantee and operator entered into prior to the initiation of such project.

COORDINATION

SEC. 1466.²²⁷ The Secretary shall--

- (1) establish a panel of experts consisting of representatives of the Agricultural Research Service, Cooperative State Research Service, Soil Conservation Service, Extension Service, State cooperative extension services, State agricultural experiment stations, and other specialists in agricultural research and technology transfer; and
- (2) ensure that a research project under this subtitle is designed after taking into consideration the views of such panel.

²²⁶ 7 U.S.C. 4705.

²²⁷ 7 U.S.C. 4706.

REPORTS

- SEC. 1467.²²⁸ The Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate--
 - (1) not later than 180 days after the effective date of this subtitle, a report describing the design of research projects established in accordance with sections 1465 and 1466;
 - (2) not later than 15 months after the effective date of this subtitle, a report describing the results of the program carried out under section 1464; and
 - (3) not later than April 1, 1987, and each April 1 thereafter, a report describing the progress of projects conducted under this subtitle, including-
 - (A) a summary and analysis of data collected under such projects; and
 - (B) recommendations based on such data for new basic or applied research.

AGREEMENTS

SEC. 1468.²²⁹ The Secretary may carry out sections 1464 and 1465 through agreements with land-grant colleges or universities, other universities, State agricultural experiment stations, nonprofit organizations, or Federal or State governmental entities, that have demonstrated appropriate expertise in agricultural research and technology transfer.

DISSEMINATION OF DATA

SEC. 1469.²³⁰ The Secretary shall--

- (1) make available through the Extension Service and State cooperative extension services-
 - (A) the information and research reports identified under section 1464; and
 - (B) the information and conclusions resulting from any research project conducted under section 1465; and
- (2) otherwise take such steps as are necessary to ensure that such material is made available to the public.

²²⁸ 7 U.S.C. 4707.

²²⁹ 7 U.S.C. 4708.

²³⁰ 7 U.S.C. 4709.

AUTHORIZATION OF APPROPRIATIONS

SEC. 1470.²³¹ There are authorized to be appropriated such sums as may be necessary to carry out this subtitle, to remain available until expended.

EFFECTIVE DATE

SEC. 1471.²³² This subtitle shall become effective on October 1, 1985.

²³¹ 7 U.S.C. 4710.

²³² 7 U.S.C. 4701 note.

NATIONAL AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING POLICY ACT AMENDMENTS OF 1981

(Contained in the Agriculture and Food Act of 1981)

NATIONAL AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING POLICY ACT AMENDMENTS OF 1981²³³

SHORT TITLE

Sec. 1401. This title may be cited as the "National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1981".

FINDINGS

Sec. 1402. [Amendments to section 1402 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1294; 7 U.S.C. 3101).]

PURPOSES

Sec. 1403. [Amendments to section 1403 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1296; 7 U.S.C. 3102).]

DEFINITIONS

Sec. 1404. [Amendments to section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1297; 7 U.S.C. 3103).]

RESPONSIBILITIES OF THE SECRETARY AND COORDINATING ROLE OF THE DEPARTMENT OF AGRICULTURE

Sec. 1405. [Amendments to section 1405 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1298; 7 U.S.C. 3121).]

SUBCOMMITTEE ON FOOD, AGRICULTURAL, AND FORESTRY RESEARCH

Sec. 1406. (a)[Amendments to section 1406 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1298).]

- (b) [Amendments to section 401(h) of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (95 Stat. 1298; 42 U.S.C. 6651(h)).]
 - (c) [Amendments to section 257(b) of the Energy Security Act (95 Stat. 1299; 42 U.S.C. 8852(B)).]

JOINT COUNCIL OF FOOD AND AGRICULTURAL SCIENCES

Sec. 1407. [Amendments to section 1407 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1299; 7 U.S.C. 3122).]

²³³ The National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1981 are set forth in title XIV of the Agriculture and Food Act of 1981, Public Law 97-98, 95 Stat. 1294.

NATIONAL AGRICULTURAL RESEARCH AND EXTENSION USERS ADVISORY BOARD

Sec. 1408. [Amendments to section 1408 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1300; 7 U.S.C. 3123).]

EXISTING RESEARCH PROGRAMS

Sec. 1409. [Amendments to section 1409 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1301; 7 U.S.C. 3124).]

FEDERAL-STATE PARTNERSHIP

Sec. 1410. [Amendments add new section 1409A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1301; 7 U.S.C. 3124a).]

SECRETARY'S REPORT

Sec. 1411. [Amendments to section 1410 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1302; 7 U.S.C. 3125).]

LIBRARIES AND INFORMATION NETWORK

Sec. 1412. [Amendments to section 1411 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1302; 7 U.S.C. 3126).]

STAFF SUPPORT FOR THE JOINT COUNCIL AND THE ADVISORY BOARD

Sec. 1413. [Amendments to section 1412(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1302; 7 U.S.C. 3127(a)).]

GENERAL PROVISIONS; ADDITIONAL ASSISTANT SECRETARY OF AGRICULTURE

Sec. 1414. (a) [Amendments to section 1413 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1303; 7 U.S.C. 3128).]

(b) [Amendment to section 5315 of title 5, United States Code (95 Stat. 1303).]

PROGRAM FOR COMPETITIVE, SPECIAL, AND FACILITIES GRANTS FOR AGRICULTURAL RESEARCH

Sec. 1415. [Amendments to section 2 of the Act of August 4, 1965 (95 Stat. 1303; 7 U.S.C. 450i(b), (c), and (d)).]

AMENDMENTS TO THE RESEARCH FACILITIES ACT OF 1963

Sec. 1416. [Amendments to section 4(a) of the Act of July 22, 1963 (95 Stat. 1304; 7 U.S.C. 390c(a)).]

APPORTIONMENT OF FUNDS APPROPRIATED FOR SCHOOLS OF VETERINARY MEDICINE

Sec. 1417. [Amendments to section 1415(c)(2) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1305; 7 U.S.C. 3151(c)(2)).]

FEDERAL SUPPORT OF HIGHER EDUCATION IN THE FOOD AND AGRICULTURAL SCIENCES

Sec. 1418. [Amendments to section 1417 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1305; 7 U.S.C. 3152).]

TRANSFER OF FUNCTIONS UNDER THE SECOND MORRILL ACT

Sec. 1419. There are hereby transferred to the Secretary of Agriculture all the functions and duties of the Secretary of Education under the Act of August 30, 1890 and the tenth and eleventh paragraphs under the heading "Emergency Appropriations." of the Act of March 4, 1907 (95 Stat. 1306; 7 U.S.C. 321 et seq.).

NATIONAL AGRICULTURAL SCIENCE AWARD

Sec. 1420. [Amendments to section 1418 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1306; 7 U.S.C. 3153).]

REDESIGNATION OF INSTRUCTION FUNDING

- Sec. 1421. (a) [Amendments to the first section of the Act of August 30, 1890 (95 Stat. 1306; 7 U.S.C. 322).]
- (b) [Amendments to the eleventh paragraph under the heading "Emergency Appropriations." of the Act of March 4, 1907 (95 Stat. 1306; 7 U.S.C. 322).]

ALCOHOL AND INDUSTRIAL HYDROCARBONS

Sec. 1422. [Amendments to section 1419(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1306; 7 U.S.C. 3154(a)).]

NUTRITION EDUCATION PROGRAM

Sec. 1423. [Amendments to section 1425 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1307; 7 U.S.C. 3175).]

REPEAL OF SECTION 1426 OF THE NATIONAL AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING POLICY ACT OF 1977

Sec. 1424. [Repeals section 1426 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1308; 7 U.S.C. 3176).]

HUMAN NUTRITION RESEARCH AND INFORMATION MANAGEMENT SYSTEM

Sec. 1425. [Amendments to section 1427 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1308; 7 U.S.C. 3177).]

CONFORMING AMENDMENT

Sec. 1426. [Amendments to section 1429 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1309; 7 U.S.C. 3191).]

ELIGIBLE INSTITUTIONS FOR ANIMAL HEALTH AND DISEASE RESEARCH FUNDS

Sec. 1427. [Amendments to section 1430 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1309; 7 U.S.C. 3192).]

ANIMAL HEALTH SCIENCE RESEARCH ADVISORY BOARD

Sec. 1428. [Amendments to section 1432(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1309; 7 U.S.C. 3194(a)).]

APPROPRIATIONS FOR ANIMAL HEALTH AND DISEASE RESEARCH PROGRAMS AT ELIGIBLE INSTITUTIONS

Sec. 1429. [Amendments to section 1433(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1309; 7 U.S.C. 3195(a)).]

APPROPRIATIONS FOR RESEARCH ON SPECIFIC NATIONAL OR REGIONAL ANIMAL HEALTH OR DISEASE PROBLEMS

Sec. 1430. [Amendments to section 1434 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1309; 7 U.S.C. 3196).]

EXTENSION AT 1890 LAND-GRANT COLLEGES, INCLUDING TUSKEGEE INSTITUTE

Sec. 1431. [Amendments to section 1444 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1310; 7 U.S.C. 3221).]

AGRICULTURE RESEARCH IN 1890 LAND-GRANT COLLEGES, INCLUDING TUSKEGEE INSTITUTE

Sec. 1432. (a) [Amendments to section 1445 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1311; 7 U.S.C. 3222).]

(b)(1)²³⁴ The Secretary of Agriculture shall make a grant of funds appropriated under paragraph (5) of this subsection to the one college of all the colleges eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321 et seq.), including Tuskegee Institute, which on the date of the enactment of this title-

- (A) has initiated a dairy goat research program; and
- (B) has the best demonstrable capacity to carry out dairy goat research.
- (2) Any grant received under paragraph (1) by such college may be expended to-

²³⁴ 7 U.S.C. 3222 note.

- (A) pay expenses incurred in conducting dairy goat research;
- (B) print and disseminate the results of such research;
- (C) contribute to the retirement of employees engaged in such research;
- (D) plan, administer, and direct such research; and
- (E) construct, acquire, alter, and repair buildings necessary to conduct such research.
- (3)(A) Under the terms of such grant, funds appropriated under paragraph (5) of this subsection for a fiscal year shall be paid to such college in equal quarterly installments beginning on or about the first day of October of such year upon vouchers approved by the Secretary of Agriculture.
- (B) Not later than sixty days after the end of each fiscal year for which funds are paid under this subsection to such college, the research director of such college shall submit to the Secretary a detailed statement of the disbursements in such fiscal year of funds received by such college under this subsection.
- (C) If any of the funds so received by such college are by any action or contingency misapplied, lost, or diminished, then--
 - (i) such college shall replace such funds; and
 - (ii) the Secretary shall not distribute to such college any other funds under this subsection until such replacement is made.
- (4) For purposes of section 1445(e) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222(e)), research and experiments funded under this subsection shall be deemed to be research and experiments funded under section 1445 of such Act.
- (5) There is authorized to be appropriated to the Secretary to carry out this subsection, for each of the fiscal years 1991 through 1995²³⁵, an amount equal to one per centum of the aggregate amount of funds appropriated under section 1445 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222) in the fiscal year preceding the fiscal year for which funds are authorized to be appropriated under this paragraph.

AUTHORITY TO AWARD GRANTS TO UPGRADE 1890 LAND-GRANT COLLEGE RESEARCH FACILITIES

Sec. 1433.²³⁶ (a) It is hereby declared to be the intent of Congress to assist the institutions eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321 et seq.), including Tuskegee Institute (hereinafter referred to in this section as "eligible institutions"), in the acquisition and improvement of

²³⁵ The National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985, section 1432, 99 Stat. 1557, amended the date through 1990. The Food, Agriculture, Conservation, and Trade Act of 1990, section 1601(c), 104 Stat. 3703, further amended the dates.

²³⁶ 7 U.S.C. 3223.

research facilities and equipment, including agricultural libraries,²³⁷ so that eligible institutions may participate fully with the State agricultural experiment stations in a balanced attack on the research needs of the people of their States.

- (b) There are authorized to be appropriated to the Secretary of Agriculture for the purpose of carrying out the provisions of this section \$10,000,000 for each of the fiscal years ending September 30, 1982, September 30, 1983, September 30, 1984, September 30, 1985, September 30, 1986, and September 30, 1987, 237 such sums to remain available until expended.
- (c) Four per centum of the sums appropriated pursuant to this section shall be available to the Secretary for administration of this grants program. The remaining funds shall be available for grants to the eligible institutions for the purpose of assisting them in the purchase of equipment and land, and the planning, construction, alteration, or renovation of buildings to strengthen their capacity to conduct research in the food and agricultural sciences.
- (d) Grants awarded pursuant to this section shall be made in such amounts and under such terms and conditions as the Secretary shall determine necessary for carrying out the purposes of this section.
- (e) Federal funds provided under this section may not be utilized for the payment of any overhead costs of the eligible institutions.
- (f) The Secretary may promulgate such rules and regulations as the Secretary may deem necessary to carry out the provisions of this section.

AUTHORIZATION FOR APPROPRIATIONS FOR SOLAR ENERGY MODEL FARMS AND DEMONSTRATION PROJECTS

Sec. 1434. [Amendments to section 1454 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1312; 7 U.S.C. 3263).]

SOLAR ENERGY DEFINITION

Sec. 1435. [Amendments to section 1457 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1313; 7 U.S.C. 3282).]

INTERNATIONAL AGRICULTURAL RESEARCH AND EXTENSION

Sec. 1436. [Amendments to section 1458 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1313; 7 U.S.C. 3291).]

AUTHORIZATION FOR APPROPRIATIONS FOR EXISTING AND CERTAIN NEW AGRICULTURAL RESEARCH PROGRAMS

Sec. 1437. [Amendments to section 1463 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1314; 7 U.S.C. 3311).]

²³⁷ The National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985, section 1433, 99 Stat. 1557, amended subsection (a) by adding after the word "equipment" the words ", including agricultural libraries," and amended subsection (b) by striking the word "and" and by adding after the words "September 30,1986," the words "and September 30, 1987".

AUTHORIZATION FOR APPROPRIATIONS FOR EXTENSION PROGRAMS

Sec. 1438. [Amendments to section 1464 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (95 Stat. 1314; 7 U.S.C. 3312).]

MISCELLANEOUS PROVISIONS

Sec. 1439. [Amendments to subtitle K of the National Agricultural Research, Extension, and Teaching Policy Act of 1977, to add new sections 1471, 1472, and 1473 (95 Stat. 1314; 7 U.S.C. 3317, 3318, and 3319).]

AQUACULTURE AND RANGELAND RESEARCH

Sec. 1440. [Amendments to the National Agricultural Research, Extension, and Teaching Policy Act of 1977, to add new subtitle L--Aquaculture, sections 1474 through 1477 (95 Stat. 1316; 7 U.S.C. 3321, 3322, 3323, and 3324); and to add new subtitle M--Rangeland Research, sections 1478 through 1483 (95 Stat. 1316; 7 U.S.C. 3331, 3332, 3333, 3334, 3335, and 3336).]

COOPERATIVE STATE FORESTRY

Sec. 1441. [Amendments to the Act of October 10, 1962, commonly known as the McIntire-Stennis Act (95 Stat. 1320; 16 U.S.C. 582, 582a-1, 582a-4, and 582a-5).]

PROHIBITION AGAINST REDUCTION OF STATE FUNDS UPON INCREASE IN FEDERAL ALLOTMENT

Sec. 1442. (a) [Amendments to section 3 of the Act of March 2, 1887, commonly known as the Hatch Act (95 Stat. 1321; 7 U.S.C. 361c).]

(b) [Amendments to section 4 of the Act of October 10, 1962, commonly known as the McIntire-Stennis Act (95 Stat. 1321; 7 U.S.C. 582a-3).]

EXCESS FEDERAL PROPERTY

Sec. 1443. [Amendments to section 202(d)(2) of the Federal Property and Administrative Services Act of 1949 (95 Stat. 1321; 40 U.S.C. 483(d)(2)).]

RURAL DEVELOPMENT AND SMALL FARM RESEARCH AND EXTENSION

Sec. 1444. [Amendments to title V of the Rural Development Act of 1972 (95 Stat. 1322; 7 U.S.C. 2261 et seq.).]

INCREASED EMPHASIS ON MARKETING EDUCATION PROGRAMS FOR SMALL AND MEDIUM SIZE FAMILY FARMING OPERATIONS

Sec. 1445.²³⁸ In carrying out marketing research and education programs, the Secretary of Agriculture shall take such steps as may be necessary to increase the efforts of the Department of Agriculture

²³⁸ 7 U.S.C. 2271 (95 Stat. 1327).

in providing marketing education programs for persons engaged in small and medium size family farm operations.

SOYBEAN RESEARCH ADVISORY INSTITUTE

Sec. 1446.²³⁹ (a)(1) There is established within the Department of Agriculture a temporary advisory body to be known as the Soybean Research Advisory Institute (hereinafter in this section referred to as the "Advisory Institute").

- (2) The Advisory Institute shall be composed of eleven members appointed by the Secretary of Agriculture (hereinafter in this section referred to as the "Secretary"). Members appointed to the Advisory Institute shall be individuals who are recognized soybean research experts and shall represent the interest of soybean producers, soybean processors, land grant colleges and universities, Federal research agencies, and private industry. The Secretary shall, to the maximum extent practicable, balance the membership of the Advisory Institute geographically on the basis of the soybean producing areas of the United States.
- (3) The Secretary shall designate a representative of the soybean producers to serve as Chairman of the Advisory Institute.
 - (b) It shall be the function of the Advisory Institute to--
 - (1) assess the effectiveness of the ongoing soybean research programs in the United States;
 - (2) assess the impediments to increased United States soybean production, including the soybean cyst nematode, and consider the most effective means of removing such impediments;
 - (3) evaluate the available means and the potential for increasing soybean production in the United States;
 - (4) estimate the amount of funds required to carry out a coordinated program of national soybean research to develop means of effectively increasing the overall United States soybean production and profitability; and
 - (5) develop plans for and sponsor an international conference on soybean research for the purpose of comparing and sharing current information on the production and utilization of soybeans.
- (c) The Advisory Institute shall submit to the Senate Committee on Agriculture, Nutrition, and Forestry and the House Committee on Agriculture, not later than March 1, 1983, a comprehensive report on the findings of the Advisory Institute regarding research on soybean production and utilization. The Advisory

Institute shall also include in such report its recommendations for actions that should be taken to ensure that an effective soybean research program is carried out in the United States.

(d) Members shall receive no compensation for service on the Advisory Institute but may be paid, while in the performance of their duties away from their homes or regular places of business, travel expenses, including per diem in lieu of subsistence, as authorized by sections 5701 through 5707 of title 5, United States Code, for persons employed intermittently in Government service.

²³⁹ 7 U.S.C. 2281 note (95 Stat. 1327). Section 1446 was repealed by the Food Security Act of 1985, section 1434, 99 Stat. 1557.

(e) The Advisory Institute shall cease to exist on the day on which it submits its report to the committees referred to in subsection (c).

ADMINISTRATIVE JURISDICTION OVER LANDS

Sec. 1447.²⁴⁰ It is the intent of Congress that dual administration and jurisdiction by the Departments of Agriculture and the Interior over certain lands currently administered by the Secretary of Agriculture should be avoided. Therefore, the Secretary of Agriculture shall have sole administrative jurisdiction of the following described lands: The United States Sheep Experiment Station in Idaho and Summer Range in Montana. These lands, containing a total of 45,013 acres of land, more or less, were withdrawn by Executive Orders 3767, dated December 19, 1922; 2268, dated October 30, 1915; 2491, dated November 21, 1916; 3141, dated August 6, 1919; and 3165, dated September 3, 1919, for agricultural experiment purposes.

²⁴⁰ 95 Stat. 1328.

COMPETITIVE, SPECIAL AND FACILITIES GRANTS

(Contained in the Act of August 4, 1965, Public Law 89-106)



COMPETITIVE, SPECIAL AND FACILITIES RESEARCH GRANTS

Act of August 4, 1965, Public Law 89-106, 79 Stat. 431, 7 U.S.C. 450i

AN ACT To facilitate the work of the Department of Agriculture, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of existing law, except the Commodity Credit Corporation Charter Act and without regard to section 355, Revised Statutes, as amended (40 U.S.C. 255), but within the limitations of cost otherwise applicable, appropriations of the Department of Agriculture may be expended for the erection of buildings and other structures on land owned by States, counties, municipalities, or other political subdivisions, corporations, or individuals: Provided, That prior to such erection there is obtained the right to use the land for the estimated life of or need for the structure, including the right to remove any such structure within a reasonable time after the termination of the right to use the land: Provided further, That appropriations and funds available to the Department of Agriculture shall be available for expenses in connection with acquiring the right to use land for such purposes under long-term lease or other agreement.

SEC. 2.24 COMPETITIVE, SPECIAL, AND FACILITIES RESEARCH GRANTS.

- (a) ESTABLISHMENT OF GRANT PROGRAM.--In order to promote research in food, agriculture, and related areas, a research grants progrm is hereby established in the Department of Agriculture.
- (b)²⁴² COMPETITIVE GRANTS.--(1) The Secretary of Agriculture is authorized to make competitive grants, for periods not to exceed five years, to State agricultural experiment stations, all colleges and universities, other research institutions and organizations, Federal agencies, private organizations or corporations, and individuals, for research to further the programs of the Department of Agriculture.
- (2) HIGH PRIORITY RESEARCH.--For purposes of this subsection, the term "high priority research" means basic and applied research that focuses on both national and regional research needs (and methods to transfer such research to onfarm or inmarket practice) in--

²⁴¹ 7 U.S.C. 450i. Various past amendments including those contained in the National Agricultural Research, Extension, and Teaching Policy Act of 1977, Public Law 95-113, section 1414, 91 Stat. 991; the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1981, Public Law 97-98, section 1415, 95 Stat. 1303; the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985, Public Law 99-198, section 1409, 99 Stat 1546; and the Food, Agriculture, Conservation, and Trade Act of 1990, Public Law 101-624, section 1615, 104 Stat. 3729, which amended the section to insert a new heading.

²⁴² Various past amendments including those contained in the National Agricultural Research, Extension, and Teaching Policy Act of 1977, Public Law 95-113, section 1414, 91 Stat. 991; the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1981, Public Law 97-98, section 1415, 95 Stat. 1303; and the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985, Public Law 99-198, section 1415(a), 95 Stat. 1303-1304, which amended section 2 by adding the reference to the National Agricultural Research and Extension Users Advisory Board; defining specific areas of high priority research in the third sentence; and extending the authorization for appropriations through the fiscal year ending September 30, 1985. The Food, Agriculture, Conservation, and Trade Act of 1990, Public Law 101-624, section 1615, 104 Stat. 3729, amended the section to insert new headings and added extensive new language to section 2(b).

- (A) plant systems, including plant genome structure and function; molecular and cellular genetics and plant biotechnology; plant-pest interactions and biocontrol systems; crop plant response to environmental stresses; unproved nutrient qualities of plant products; and new food and industrial uses of plant products;
- (B) animal systems, including aquaculture, cellular and molecular basis of animal reproduction, growth, disease, and health; identification of genes responsible for improved production traits and resistance to disease; improved nutritional performance of animals; and improved nutrient qualities of animal products, and uses, and the development of new and improved animal husbandry and production systems that take into account production efficiency and animal well-being, and animal systems applicable to aquaculture;
- (C) nutrition, food quality, and health, including microbial contaminants and pesticides residues related to human health; links between diet and health; bioavailability of nutrients; postharvest physiology and practices; and improved processing technologies;
- (D) natural resources and the environment, including fundamental structures and functions of ecosystems; biological and physical bases of sustainable production systems; minimizing soil and water losses and sustaining surface water and ground water quality; global climate effects on agriculture; forestry; and biological diversity;
- (E) engineering, products, and processes, including new uses and new products from traditional and non-traditional crops, animals, byproducts, and natural resources; robotics, energy efficiency, computing, and expert systems; new hazard and risk assessment and mitigation measures; and water quality and management; and
- (F) markets, trade, and policy, including optional strategies for entering and being competitive in overseas markets; new decision tools for onfarm and inmarket systems; choices and applications of technology; technology assessment; and new approaches to rural economic development.
- (3) TYPES OF GRANTS.--In addition to making research grants under paragraph (1), the Secretary may conduct a program to improve research capabilities in the agricultural, food, and environmental sciences and award the following categories of competitive grants:
 - (A) Grants may be awarded to a single investigator or coinvestigators within the same discipline.
 - (B) Grants may be awarded to teams of researchers from different areas of agricultural research and scientific disciplines.
 - (C) Grants may be awarded to multidisciplinary teams that are proposing research on long-term applied research problems, with technology transfer a major component of all such grant proposals.
 - (D) Grants may be awarded to an institution to allow for the improvement of the research, development, technology transfer, and education capacity of the institution through the acquisition of special research equipment and the improvement of agricultural education and teaching. The Secretary shall use not less than 25 percent, and not more than 40 percent, of the funds made available for grants under this subparagraph to provide fellowships to outstanding pre- and post-doctoral students for research in the agricultural sciences.
 - (E) Grants may be awarded to single investigators or coinvestigators who are beginning their research careers and do not have an extensive research publication record. To be eligible for a grant

under this subparagraph, an individual shall have less than 5 years of post-graduate research experience.

- (F) Grants may be awarded to ensure that the faculty of small and mid-sized institutions who have not previously been successful in obtaining competitive grants under this subsection receive a portion of the grants.
- (4) TERM.--The term of a competitive grant made under this subsection may not exceed 5 years.
- (5) DIRECTOR.--The Secretary shall appoint a director for the grant program authorized by this subsection. The Secretary, acting through the director, shall be responsible for the overall direction of the grant program and implementation of general policies respecting the management and operation of programs and activities in the program.
- (6) PARTICIPATION IN GRANT PROCESS.--In seeking proposals for grants under this subsection and in performing peer review evaluations of such proposals, the Secretary shall seek the widest participation of qualified scientists in the Federal government, colleges and universities, State agricultural experiment stations, and the private sector.
- (7) CONSTRUCTION PROHIBITED.--A grant made under paragraph (1) may not be used for any purpose for which a grant may be made under subsection (d) or for the planning, repair, rehabilitation, acquisition, or construction of a building or facility.
- (8) MATCHING FUNDS.--(A) Except as provided in subparagraph (B), the Secretary may not take the offer or availability of matching funds into consideration in making a grant under this subsection.
- (B) In the case of grants under paragraph (3)(D), the amount provided under this subsection may not exceed 50 percent of the cost²⁴³ the special research equipment or other equipment acquired.
- (9) ANNUAL REPORT.--The Secretary shall transmit to Congress an annual report describing the policies, priorities, and operations of the grant program authorized by this subsection during the preceding fiscal year. The report shall--
 - (A) include a description of the progress being made to comply with subsection (j); and
 - (B) be transmitted not later than January 1 of each year.
- (10) AUTHORIZATION OF APPROPRIATIONS.--There are authorized to be appropriated to carry out this subsection \$150,000,000 for fiscal year 1991, \$275,000,000 for fiscal year 1992, \$350,000,000 for fiscal year 1993, and \$400,000,000 for fiscal year 1994, and \$500,000,000 for fiscal year 1995, of which each fiscal year--
 - (A) not less than 10 percent for fiscal year 1991, 20 percent for fiscal year 1992, and 30 percent for fiscal year 1993 and each fiscal year thereafter shall be available to make grants for research to be conducted by multidisciplinary teams;
 - (B) not less than 20 percent shall be available to make grants for research to be conducted by persons conducting mission-linked systems research;

²⁴³ So in original.

- (C) not less than 10 percent shall be available to make grants under subparagraphs (D) and (F) of paragraph (3) for awarding grants in research and education strengthening and research opportunity;
 - (D) not more than two percent may be used for equipment grants under subparagraph (3)(D); and
- (E) not more than four percent may be retained by the Secretary to pay administrative costs incurred by the Secretary in carrying out this subsection.
- (c)²⁴⁴ SPECIAL GRANTS.--(1) The Secretary of Agriculture may make grants, for periods not to exceed five years--
 - (A) to State agricultural experiment stations, all colleges and universities, other research institutions and organizations, Federal agencies, private organizations or corporations, and individuals for the purpose of conducting research to facilitate or expand promising breakthroughs in areas of the food and agricultural sciences of importance to the United States; and
 - (B) to State agricultural experiment stations, land-grant colleges and universities, research foundations established by land-grant colleges and universities, colleges and universities receiving funds under the Act of October 10, 1962 (16 U.S.C. 582a et seq.), and accredited schools or colleges of veterinary medicine for the purpose of facilitating or expanding ongoing State-Federal food and agricultural research programs that-
 - (i) promote excellence in research on a regional and national level;
 - (ii) promote the development of regional research centers;
 - (iii) promote the research partnership between the Department of Agriculture, colleges and universities, research foundations, and State agricultural experiment stations for regional research efforts; and
 - (iv) facilitate coordination and cooperation of research among States through regional research grants.
 - (2) LIMITATIONS.--The Secretary may not make a grant under this subsection-
 - (A) for any purpose for which a grant may be made under subsection (d); or
 - (B) for the planning, repair, rehabilitation, acquisition, or construction of a building or facility.
- (3) MATCHING FUNDS.--Grants made under this subsection shall be made without regard to matching funds.
 - (4) SET ASIDES.--Of amounts appropriated for a fiscal year to carry out this subsection--

Various past amendments including those contained in the National Agricultural Research, Extension, and Teaching Policy Act of 1977, Public Law 95-113, section 1414, 91 Stat. 992; the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1981, Public Law 97-98, section 1415, 95 Stat. 1303; and the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985, Public Law 99-198, section 1409, 99 Stat. 1546. The Food, Agriculture, Conservation, and Trade Act of 1990, Public Law 101-624, section 1616, 104 Stat. 3732, amended section 2(c) in its entirety.

- (A) ninety percent of such amounts shall be used for grants for regional research projects; and
- (B) four percent of such amounts may be retained by the Secretary to pay administrative costs incurred by the Secretary to carry out this subsection.
- (d) FACILITIES GRANTS.--The Secretary of Agriculture shall make annual grants to support the renovation and refurbishment (including energy retrofitting) of research spaces in buildings or spaces to be used for research, and the purchase and installation of fixed equipment in such spaces. Such grants may be used for new construction only for auxiliary facilities and fixed equipment used for research in such facilities, such as greenhouses, insectaries, and research farm structures and installations. Such grants shall be made to---
 - (1) each State agricultural experiment station in an amount of \$100,000 or an amount which is equal to 10 per centum of the funds received by such station under the Act of March 2, 1887 (24 Stat. 440-442, as amended; 7 U.S.C. 361a-361i), and the Act of October 10, 1962 (76 Stat. 806-807, as amended; 16 U.S.C. 582a, 582a-1--582a-7), whichever is greater: *Provided*, That of any amount in excess of \$50,000 made available under this paragraph during any year for allotment to a State agricultural experiment station, no payment thereof shall be made in excess of the amount which the station makes available during that year for the purposes for which grants under this paragraph are made available;
 - (2) each accredited college of veterinary medicine and State agricultural experiment station which receives funds from the Federal Government for animal health research, in an amount which is equal to 10 per centum of the animal health research funds received by such college or experiment station from the Federal Government during the previous fiscal year;
 - (3) each forestry school not described in paragraph (1) of this subsection, which is eligible to receive funds under the Act of October 10, 1962 (16 U.S.C. 582a et seq.), in an amount which is equal to 10 per centum of the funds received by such school under that Act; and
 - (4) each college eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321 et seq.), including Tuskegee Institute, in an amount which is equal to 10 per centum of the funds received by such college under section 1445 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977.

Any college or State agricultural experiment station eligible for annual grants under this subsection may elect to defer the receipt of an annual grant for any fiscal year for up to five years: *Provided*, That the total amounts deferred may not exceed \$1,000,000. Application may be made for receipt of deferred grants at any time during the five years, subject to the matching funds requirement of this subsection and the availability of appropriations under this subsection.

(e)(1)²⁴⁵ The Secretary of Agriculture shall establish an Inter-Regional Research Project Number 4 (hereinafter referred to in this section as the "IR-4 Program") to assist in the collection of residue and efficacy data in support of--

The Food, Agriculture, Conservation, and Trade Act of 1990, Public Law 101-624, section 1497, 104 Stat. 3630, amended section 2 to insert a new subsection (e) concerning IR-4 and to redesignate subsections.

- (A) the registration or reregistration of minor use pesticides under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.); and
- (B) tolerances for residues of minor use chemicals in or on raw agricultural commodities under sections 408 and 409 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a, 348).
- (2) The Secretary shall carry out the IR-4 program in cooperation with the Administrator of the Environmental Protection Agency, State agricultural experiment stations, colleges and universities, extension services, private industry, and other interested parties.
- (3) In carrying out the IR-4 program, the Secretary shall give priority to registrations, reregistrations, and tolerances for pesticide uses related to the production of agricultural crops for food use.
 - (4) As part of carrying out the IR-4 program, the Secretary shall--
 - (A) participate in research activities aimed at reducing residues of pesticides registered for minor agricultural use;
 - (B) develop analytical techniques applicable to residues of pesticides registered for minor agricultural use, including automation techniques and validation of analytical methods; and
 - (C) coordinate with other programs within the Department of Agriculture and the Environmental Protection Agency designed to develop and promote biological and other alternative control measures.
- (5) The Secretary shall prepare and submit, to appropriate Committees of Congress, a report on an annual basis that contains--
 - (A) a listing of all registrations, reregistrations, and tolerances for which data has been collected in the preceding year;
 - (B) a listing of all registrations, reregistrations, and tolerances for which data collection is scheduled to occur in the following year, with an explanation of the priority system used to develop this list;
 - (C) a listing of all activities the IR-4 program has carried out pursuant to paragraph (4).
- (6) The Secretary shall submit to Congress within one year of the date of the enactment of this paragraph a report detailing the feasibility of requiring recoupment of the costs of developing residue data for registrations, reregistrations or tolerances under this program. Such recoupment shall only apply to those registrants which make a profit on such registration, reregistration, or tolerance subsequent to residue data development under this program. Such report shall include:
 - (A) an analysis of possible benefits to the IR-4 program of such a recoupment;
 - (B) an analysis of the impact of such a payment on the availability of registrants to pursue registrations or reregistrations of minor use pesticides; and
 - (C) recommendations for implementation of such a recoupment policy.
- (7) There are authorized to be appropriated \$25,000,000 for fiscal year 1991, and such sums as are necessary for subsequent fiscal years to carry out this section.

- (f) RECORD KEEPING.--Each recipient of assistance under this section shall keep such records as the Secretary of Agriculture shall, by regulation, prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such grants, the total cost of the project or undertaking in connection with which such funds are given or used, and the amount of that portion of the costs of the project or undertaking in connection with which such funds are given or used, and the amount of that portion of the costs of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit. The Secretary of Agriculture and the Comptroller General of the United States or any of their duly authorized representatives shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipients that are pertinent to the grants received under this section.
- (g) LIMITS ON OVERHEAD COSTS.--The Secretary of Agriculture shall limit allowable overhead costs, with respect to grants awarded under this section, to those necessary to carry out the purposes of the grants.
- (h) AUTHORIZATION OF APPROPRIATIONS.--Except as otherwise provided in subsection (b) and subsection (e)²⁴⁶ of this section, there are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this section.
- (i) RULES.--The Secretary of Agriculture is authorized to issue such rules and regulations as the Secretary deems necessary to carry out the provisions of this section.
- (j) APPLICATION OF OTHER LAWS.--The Federal Advisory Committee Act (5 U.S.C. App. 2) and title XVIII of the Food and Agriculture Act of 1977 (7 U.S.C. 2281 et seq.) shall not apply to a panel or board created for the purpose of reviewing applications or proposals submitted under this section.
- (k)²⁴⁷ EMPHASIS ON SUSTAINABLE AGRICULTURE.--The Secretary of Agriculture shall ensure that grants made under subsections (b) and (c) are, where appropriate, consistent with the development of systems of sustainable agriculture. For purposes of this section, the term "sustainable agriculture" has the meaning given that term in section 1404(17) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(17)).
- (1)²⁴⁷ REPORTS.--The Secretary of Agriculture shall prepare and submit to Congress on January 1 of each year a report on awards made under subsections (b) and (c) during the previous fiscal year.
- (m)²⁴⁷ CONSULTATION WITH TECHNOLOGY BOARD.--The Secretary of Agriculture may consult with the Agricultural Science and Technology Review Board regarding the policies, priorities, and operation of subsections (b) and (c).

* * * *

²⁴⁶ The Food, Agriculture, Conservation, and Trade Act of 1990, Public Law 101-624, section 1497, 104 Stat. 3630, amended redesignated subsection (h) by adding after the words "subsection (b)" the words "and subsection (e)".

Not so in original. Conforming error--the addition of new subsection (e) and the redesignation of subsections were not considered in the amendment by the Food, Agriculture, Conservation, and Trade Act of 1990, Public Law 101-624, section 1615(b), 104 Stat. 3731, which added new subsections (j), (k), and (l).



RESEARCH FACILITIES ACT

(Act of July 22, 1963, Public Law 88-74)

RESEARCH FACILITIES ACT

Act of July 22, 1963, Public Law 88-74, 77 Stat. 90, 7 U.S.C. 390 et seq.

An Act to assist the States to provide additional facilities for research at the State agricultural experiment stations

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared to be the policy of the Congress to continue its support of agricultural research at eligible institutions through Federal-grant funds on a matching funds basis to help finance physical facilities and equipment as required for the effective conduct of agricultural research and related academic programs.²⁴⁸

Sec. 2.²⁴⁹ The purpose of this Act is to assist eligible institutions in the construction, acquisition, and remodeling of buildings, laboratories, and other capital facilities (including the acquisition of fixtures and equipment) which are necessary to more effectively conduct research in agriculture and sciences related thereto through means of matching grants from the Federal Government.

Sec. 3.250 As used in sections 2 to 10, inclusive, of this Act--

(1) the term "State" means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and the Virgin Islands of the United States;

Amended by the National Agricultural Research, Extension, and Teaching Policy Act of 1977, contained in the Food and Agriculture Act of 1977, Public Law 95-113, section 1416(3), 91 Stat. 996, to substitute "eligible institutions" for "the State agricultural experiment stations" and to delete the words ", on a matching basis," after "Federal-grant funds". Further amended by the National Agricultural Research, Extension and Teaching Policy Act Amendments of 1985, contained in the Food Security Act of 1985, Public Law 98-198, section 1411(a), 99 Stat. 1547, to insert the words "on a matching funds basis" after the word "funds"; to insert the words "and equipment" after the word "facilities"; and by striking out the words "an adequate research program" and inserting in lieu thereof the words "agricultural research and related academic programs".

²⁴⁹ 7 U.S.C. 390a. See footnote 1 for amendment concerning "eligible institutions". Further amended by the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985, contained in the Food Security Act of 1985, Public Law 98-198, section 1411(b), 99 Stat. 1547, by deleting the words "which are to become a part of such buildings" after the word "equipment" in the parenthetical clause and by inserting the word "matching" after the words "means of".

²⁵⁰ 7 U.S.C. 390b. Amended by the National Agricultural Research, Extension, and Teaching Policy Act of 1977, contained in the Food and Agriculture Act of 1977, Public Law 95-113, section 1416(a), 91 Stat. 994, in paragraph (2) to substitute definition of "eligible institution" for definition of "State agricultural experiment station". Further amended by the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985, contained in the Food Security Act of 1985, Public Law 98-198, section 1411(c)(1) and (2), 99 Stat. 1547, by striking out paragraph (1) and inserting in lieu thereof a new paragraph (1) and by inserting in paragraph (2) the words ", forestry, or veterinary medicine" after the words "to conduct agricultural".

- (2) the term "eligible institution" means a department established under provisions of the Act of March 2, 1887 (24 Stat. 440-442, as amended; 7 U.S.C. 361a-361i), and under the direction of a college or university established in any State in accordance with the Act of July 2, 1862 (12 Stat. 503-505, as amended; 7 U.S.C. 301-305, 307 and 308), a department otherwise established pursuant to standards prescribed by any State the purpose of which is to conduct agricultural, forestry, or veterinary medicine research, the Connecticut Agricultural Experiment Station at New Haven, Connecticut, the Ohio Agricultural Experiment Station at Wooster, Ohio, and those colleges, universities, and other legal entities in each State now receiving, or which may hereafter receive, benefits under the Act of August 30, 1890 (26 Stat. 417-419, as amended; 7 U.S.C. 321-326 and 328), including the Tuskegee Institute, or the Act of October 10, 1962 (76 Stat. 806-807, as amended; 16 U.S.C. 582a, 582a-1--582a-7); and
 - (3) the term "Secretary" shall mean the Secretary of Agriculture.
- Sec. 4.251 (a) There are hereby authorized to be appropriated, for grants to eligible institutions under this Act to be used for the purpose set out in section 2, \$50,000,000²⁵¹ for each of the fiscal years 1991 through 1995²⁵¹.
- (b)²⁵¹ No grant may be made under section 2 for an amount exceeding a percentage determined by the Secretary of the cost of the project for which such grant is made. The remaining cost of such project shall be paid with funds from non-Federal sources.
- (c) It shall be the duty and responsibility of the Secretary to administer the provisions of this Act under such rules and regulations as the Secretary may prescribe as necessary therefor.
- Sec. 5.252 As a condition for receiving funds under section 4 of this Act, each eligible institution shall submit, in such form as the Secretary may require, specific proposals for planning, acquisition, construction, repair, rehabilitation, renovation, or remodeling of buildings, laboratories, and other capital facilities including the acquisition of fixtures and equipment, including scientific instrumentation. In a State having more than one eligible institution the Secretary shall devise procedures to insure that the facility proposals of the eligible institutions in such State provide for a coordinated food and agricultural research program among eligible institutions in such State.

²⁵¹ 7 U.S.C. 390c. The National Agricultural Research, Extension, and Teaching Policy Act of 1977, contained in the Food and Agriculture Act of 1977, Public Law 95-113, section 1416(2), 91 Stat. 994, substituted new sections 4 through II for former provisions. Amended by the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1981, contained in the Agriculture and Food Act of 1981, Public Law 97-98, section 1416, 95 Stat. 1304, to authorize appropriations through fiscal year ending September 30, 1985. Further amended by the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985, contained in the Food Security Act of 1985, Public Law 99-198, section 1411(d), 99 Stat. 1548, to authorize appropriations through the fiscal year ending September 30, 1990, and to insert new language for text of subsection (b). Further amended by the Food, Agriculture, Conservation, and Trade Act of 1990, Public Law 101-624, section 1601(a)(1), 104 Stat. 3703, by striking out "\$20,000,000" and inserting in lieu thereof "\$50,000,000", and by striking out the words "ending September 30, 1986, through September 30, 1990" and inserting in lieu thereof the words "1991 through 1995".

²⁵² 7 U.S.C. 390d. Amended by the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985, contained in the Food Security Act of 1985, Public Law 98-198, section 1411(e), 99 Stat. 1548, in the first sentence by striking out the word "apportioned" after the word "funds" and by striking out the words ", which are to become part of such buildings" after the word "instrumentation".

- Sec. 6.253 With respect to multiple-purpose equipment and physical facilities, the segment or portion thereof which is to be utilized for food and agricultural research and related programs, including forestry and veterinary medicine, shall be the basis for determination of fund support under this act.
- Sec. 7.254 (a) Any eligible institution that receives payments under the provisions of section 2 of this Act shall have a chief administrative officer and a duly designated fiscal officer, who shall be the persons responsible for receipt of payments under the Acts referred to in Section 3(2) of this Act, to whom payments can be directed by the Secretary. Such fiscal officer shall receive and account for all funds paid to such institution pursuant to the provisions of this Act, and shall submit a report, approved by the chief administrative officer of such institution, to the Secretary on or before the first day of December of each year. Such report shall contain a detailed statement of the amount received under the provisions of this Act during the preceding fiscal year, and of its disbursements on schedules prescribed by the Secretary.
- (b)²⁵⁵ If any portion of the funds received under this Act by the duly authorized fiscal officer of any eligible institution shall by any action or contingency be diminished, lost, or misapplied, it shall be repaid by the institution concerned, and until repaid no part of any subsequent appropriation shall be paid to such institution.
- Sec. 8.²⁵⁶ The Secretary shall make an annual report to Congress during the first regular session of each year with respect to (1) payments made under this Act, (2) the facilities, by institution, for which payments were made, and (3) those eligible institutions, if any, that were prevented, because of failure to repay funds as required by section 7(b), from receiving any grant under this Act.
- Sec. 9.257 Three per centum of funds appropriated under this Act shall be available to the Secretary for administration of this Act.

²⁵³ 7 U.S.C. 390f. Amended by the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985, contained in the Food Security Act of 1985, Public Law 98-198, section 1411 (f) and (k), 99 Stat. 1548, to repeal section 6 and redesignate sections 7, 9, 10, and 11 as sections 6, 7, 8, and 9, respectively.

²⁵⁴ 7 U.S.C. 390h. The National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985, contained in the Food Security Act of 1985, Public Law 99-198, section 1411, 99 Stat. 1548, amended section 1411(h) by deleting section 8; and amended section 1411(i)(1) in redesignated section 7(a) by striking out the words "authorized to receive" and inserting in lieu thereof the words "that receives"; by striking out the words "section 4" and inserting lieu thereof the words "section 2"; and by striking out the words "section 4(b)" and inserting in lieu thereof the words "section 3(2)".

The National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985, contained in the Food Security Act of 1985, Public Law 99-198, section 1411(i)(2), 99 Stat. 1548, amended redesignated section 7(b) by striking out the words "allotted funds received" and inserting in lieu thereof the words "funds received under this Act" and by striking out the words "allocated or" after the words "appropriation shall be".

²⁵⁶ 7 U.S.C. 390i. The National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985, contained in the Food Security Act of 1985, Public Law 99-198, section 1411(j), 99 Stat. 1548, amended in redesignated section 8 the text of clause (3).

²⁵⁷ 7 U.S.C. 390j.

Sec. 10.28 This Act may be cited as the "Research Facilities Act".

²⁵⁸ 7 U.S.C. 390 Note. The National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985, contained in the Food Security Act of 1985, Public Law 99-198, section 1411(l), 99 Stat. 1548, provided the Act be cited as the "Research Facilities Act".



HATCH ACT

(Act of March 2, 1887)

HATCH ACT

Act of March 2, 1887;259 ch. 314, 24 Stat. 440, 7 U.S.C. 361a et seq.

Chap. 314.--AN ACT To establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1.²⁶⁰ It is the policy of Congress to continue the agricultural research at State agricultural experiment stations which has been encouraged and supported by the Hatch Act of 1887, the Adams Act of 1906, the Purnell Act of 1925, the Bankhead-Jones Act of 1935, and title I, section 9, of that Act as added by the Act of August 14, 1946, and Acts amendatory and supplementary thereto, and to promote the efficiency of such research by a codification and simplification of such laws. As used in this Act, the terms "State" or "States" are defined to include the several States, including the District of Columbia, Alaska, Hawaii, Puerto Rico, Guam and the Virgin Islands. As used in this Act, the term "State agricultural experiment station" means a department which shall have been established, under direction of the college or university or agricultural departments of the college or university in each State in accordance with an Act approved July 2, 1862 (12 Stat. 503), entitled "An Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic acts"; or such other substantially equivalent arrangements as any State shall determine.

SEC. 2.²⁶⁴ It is further the policy of the Congress to promote the efficient production, marketing, distribution, and utilization of products of the farm as essential to the health and welfare of our peoples and to promote a sound and prosperous agriculture and rural life as indispensable to the maintenance of maximum employment and national prosperity and security. It is also the intent of Congress to assure agriculture a position in research equal to that of industry, which will aid in maintaining an equitable balance between agriculture and other segments of our economy. It shall be the object and duty of the State agricultural experiment stations through the expenditure of the appropriations hereinafter authorized to conduct original and other researches, investigations, and experiments bearing directly on and contributing to the establishment and maintenance of a permanent and effective agricultural industry of the United States, including researches basic to the problems of agriculture in its broadest aspects, and such investigations as have for their purpose the development and improvement of the rural home and rural life and the maximum contribution by agriculture to the welfare of the consumer, as may be deemed advisable, having due regard to the varying conditions and needs of the respective States.

²⁵⁹ The Hatch Act was amended in its entirety by the Act of August 11, 1955, ch. 790, 68 Stat. 671.

²⁶⁰ 7 U.S.C. 361a.

²⁶¹ Amended by Public Law 93-471, 88 Stat. 1429, which defined State to include the District of Columbia.

²⁶² Amended by Public Law 92-318, 86 Stat. 351, which defined State to include Guam and the Virgin Islands.

²⁶³ First Morrill Act.

²⁶⁴ 7 U.S.C. 361b.

- SEC. 3.²⁶⁵ (a) There are hereby authorized to be appropriated for the purposes of this Act such sums as Congress may from time determine to be necessary.
- (b)(1)²⁶⁶ Out of such sums each State shall be entitled to receive annually a sum of money equal to and subject to the same requirement as to use for marketing research projects as the sums received from Federal appropriations for State agricultural experiment stations for the fiscal year 1955, except that amounts heretofore made available from the fund known as the "Regional research fund, Office of Experiment Stations" shall continue to be available for the support of cooperative regional projects as defined in subsection 3(c)(3), and the said fund shall be designated "Regional research fund, State agricultural experiment stations", and the Secretary of Agriculture shall be entitled to receive annually for the administration of this Act, a sum not less than that available for this purpose for the fiscal year ending June 30, 1955: Provided, That if the appropriations hereunder available for distribution in any fiscal year are less than those for the fiscal year 1955 the allotment to each State and the amounts for Federal administration and the regional research fund shall be reduced in proportion to the amount of such reduction.
- (2) There is authorized to be appropriated for the fiscal year ending June 30, 1973, and for each fiscal year thereafter, for payment to the Virgin Islands and Guam, \$100,000 each, which sums shall be in addition to the sums appropriated for the several States of the United States and Puerto Rico under the provisions of this section. The amount paid by the Federal Government to the Virgin Islands and Guam pursuant to this paragraph shall not exceed during any fiscal year, except the fiscal years ending June 30, 1971, and June 30, 1972, when such amount may be used to pay the total cost of providing services pursuant to this Act, the amount available and budgeted for expenditure by the Virgin Islands and Guam for the purposes of this Act.
- (c) Any sums made available by the Congress in addition to those provided for in subsection (b) hereof for State agricultural experiment station work shall be distributed as follows:
 - 1. Twenty per centum shall be allotted equally to each State;
 - 2. Not less than 52 per centum of such sums shall be allotted to each State, as follows: One-half in an amount which bears the same ratio to the total amount to be allotted as the rural population of the State bears to the total rural population of all the States as determined by the last preceding decennial census current at the time each such additional sum is first appropriated; and one-half in an amount which bears the same ratio to the total amount to be allotted as the farm population of the State bears to the total farm population of all the States as determined by the last preceding decennial census current at the time such additional sum is first appropriated;
 - 3. Not more than 25 per centum shall be allotted to the States for cooperative research in which two or more State agricultural experiment stations are cooperating to solve problems that concern the agriculture of more than one State. The funds available for such purposes, together with funds available pursuant to subsection (b) hereof for like purpose shall be designated as the "Regional research fund, State agricultural experiment stations", and shall be used only for such cooperative

²⁶⁵ 7 U.S.C. 361c. This section was modified by the National Agricultural Research, Extension, and Teaching Policy Act of 1977, Public Law 95-113, sec. 1463(b), 91 Stat. 1017; the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1981, Public Law 97-98, sec. 1437, 95 Stat. 1314; the Food Security Act of 1985, sec. 1422(b), 99 Stat. 1552, and further modified by the Food, Agriculture, Conservation, and Trade Act of 1990, sec. 1601(b)(3).

The Act of June 23, 1972, Public Law 92-318, Title V, sec. 506, 86 Stat. 351, designated existing provisions as par. (b)(1) and added par. (b)(2).

regional projects as are recommended by a committee of nine persons elected by and representing the directors of the State agricultural experiment stations, and approved by the Secretary of Agriculture. The necessary travel expenses of the committee of nine persons in performance of their duties may be paid from the fund established by this paragraph.

4.267 (Repealed)

- 5. Three per centum shall be available to the Secretary of Agriculture for administration of this Act. These administrative funds may be used for transportation of scientists who are not officers or employees of the United States to research meetings convened for the purpose of assessing research opportunities or research planning.²⁶⁸
- (d) Of any amount in excess of \$90,000 available under this Act for allotment to any State, exclusive of the regional research fund, State agricultural experiment stations, no allotment and no payments thereof shall be made in excess of the amount which the State makes available out of its own funds for research and for the establishment and maintenance of facilities necessary for the prosecution of such research: And provided further, That if any State fails to make available for such research purposes for any fiscal year a sum equal to the amount in excess of \$90,000 to which it may be entitled for such year, the remainder of such amount shall be withheld by the Secretary of Agriculture and reapportioned among the States.²⁶⁹
- (e) "Administration" as used in this section shall include participation in planning and coordinating cooperative regional research as defined in subsection 3(c)3.
- (f) In making payments to States, the Secretary of Agriculture is authorized to adjust any such payment to the nearest dollar.
- (g)²⁷⁰ If in any year the amount made available by a State from its own funds (including any revenue-sharing funds) to a State agricultural experiment station is reduced because of an increase in the allotment made available under this Act, the allotment to the State agricultural experiment station from the appropriation in the next succeeding fiscal year shall be reduced in an equivalent amount. The Secretary shall reapportion the amount of such reduction to other States for use by their agricultural experiment stations.

²⁶⁷ The National Agricultural Research, Extension, and Teaching Policy Act of 1977, contained in the Food and Agriculture Act of 1977, Public Law 95-113, section 1466, 91 Stat. 1018, repealed (c)4 which read: "Not less than 20 per centum of any sums appropriated pursuant to this subsection for distribution to States shall be used by State agricultural experiment stations for conducting marketing research projects approved by the Department of Agriculture."

²⁶⁸ The last sentence of paragraph (5) was added by the National Agricultural Research, Extension, and Teaching Policy Act of 1977, Public Law 95-113, section 1446, 91 Stat. 1018.

²⁶⁹ Amended by the Food, Agriculture, Conservation, and Trade Act of 1990, Public Law 101-624, section 1618 (a), 104 Stat. 3733, to add the words "and reapportioned among the States" before the period.

²⁷⁰ The National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1981, Public Law 97-98, section 1442(a), 95 Stat. 1321, added a new subsection (g).

- SEC. 4.271 Moneys appropriated pursuant to this Act shall also be available, in addition to meeting expenses for research and investigations conducted under authority of section 2, for printing and disseminating the results of such research, retirement of employees subject to the provisions of an Act approved March 4, 1940 (54 Stat. 39), administrative planning and direction, and for the purchase and rental of land and the construction, acquisition, alteration, or repair of buildings necessary for conducting research. The State agricultural experiment stations are authorized to plan and conduct any research authorized under section 2 of this Act in cooperation with each other and such other agencies and individuals as may contribute to the solution of the agricultural problems involved, and moneys appropriated pursuant to this Act shall be available for paying the necessary expenses of planning, coordinating, and conducting such cooperative research.
- SEC. 5.272 Sums available for allotment to the States under the terms of this Act, excluding the regional research fund authorized by subsection 3(c)3, shall be paid to each State agricultural experiment station in equal quarterly payments beginning on the first day of October of each fiscal year upon vouchers approved by the Secretary of Agriculture. Each such station authorized to receive allotted funds shall have a chief administrative officer known as a director, and a treasurer or other officer appointed by the governing board of the station. Such treasurer or other officer shall receive and account for all funds allotted to the State under the provisions of this Act and shall report, with the approval of the director to the Secretary of Agriculture on or before the first day of December of each year a detailed statement of the amount received under provisions of this Act during the preceding fiscal year, and of its disbursement on schedules prescribed by the Secretary of Agriculture. If any portion of the allotted moneys received by the authorized receiving officer of any State agricultural experiment station shall by any action or contingency be diminished, lost, or misapplied, it shall be replaced by the State concerned and until so replaced no subsequent appropriation shall be allotted or paid to such State.
- SEC. 6.273 Bulletins, reports, periodicals, reprints of articles, and other publications necessary for the dissemination of results of the researches and experiments, including lists of publications available for distribution by the experiment stations, shall be transmitted in the mails of the United States under penalty indicia: Provided, however, That each publication shall bear such indicia as are prescribed by the Postmaster General and shall be mailed under such regulations as the Postmaster General may from time to time prescribe. Such publications may be mailed from the principal place of business of the station or from an established subunit of said station.
- SEC. 7.²⁷⁴ The Secretary of Agriculture is hereby charged with the responsibility for the proper administration of this Act, and is authorized and directed to prescribe such rules and regulations as may be necessary to carry out its provisions. It shall be the duty of the Secretary to furnish such advice and assistance as will best promote the purposes of this Act, including participation in coordination of research initiated under this Act by the State agricultural experiment stations, from time to time to indicate such lines of inquiry as to him seem most important, and to encourage and assist in the establishment and maintenance

²⁷¹ 7 U.S.C. 361d.

²⁷² 7 U.S.C. 361e, Act of April 21, 1976, Public Law 94-273, 90 Stat. 373, substituted "October" and "December" for "July" and "September".

²⁷³ 7 U.S.C. 361f.

²⁷⁴ 7 U.S.C. 361g. Public Law 94-273, 90 Stat. 376, substituted "October" for "July" in second paragraph. The last paragraph of section 7 which required annual reports was repealed by Public Law 86-533, sec. 1(22), 74 Stat. 249.

of cooperation by and between the several State agricultural experiment stations, and between the stations and the United States Department of Agriculture.

On or before the first day of October in each year after the passage of this Act, the Secretary of Agriculture shall ascertain as to each State whether it is entitled to receive its share of the annual appropriations for agricultural experiment stations under this Act and the amount which thereupon each is entitled, respectively, to receive.

Whenever it shall appear to the Secretary of Agriculture from the annual statement of receipts and expenditures of funds by any State agricultural experiment station that any portion of the preceding annual appropriation allotted to that station under this Act remains unexpended, such amount shall be deducted from the next succeeding annual allotment to the State concerned.

If the Secretary of Agriculture shall withhold from any State any portion of the appropriations available for allotment, the facts and reasons therefor shall be reported to the President and the amount involved shall be kept separate in the Treasury until the close of the next Congress. If the next Congress shall not direct such sum to be paid, it shall be carried to surplus.

SEC. 8.²⁷⁵ Nothing in this Act shall be construed to impair or modify the legal relation existing between any of the colleges or universities under whose direction State agricultural experiment stations have been established and the government of the States in which they are respectively located. States having agricultural experiment stations separate from such colleges or universities and established by law, shall be authorized to apply such benefits to research at stations so established by such States: *Provided*, That in any State in which more than one such college, university, or agricultural experiment station has been established the appropriations made pursuant to this Act for such State shall be divided between such institutions as the legislature of such State shall direct.

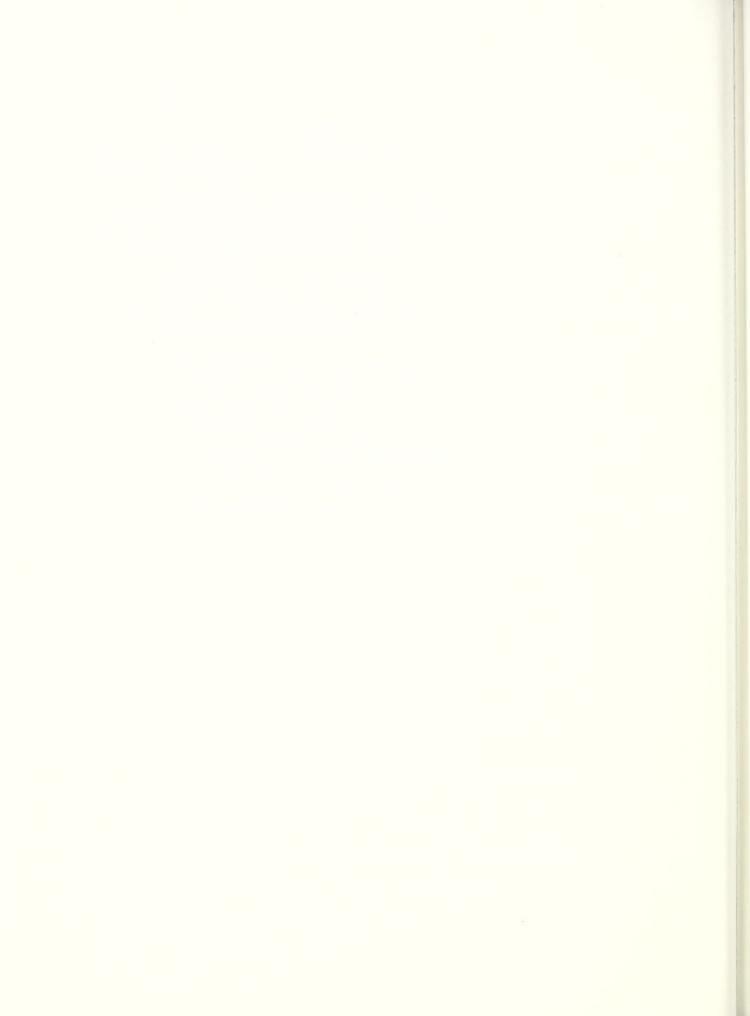
SEC. 9.276 The Congress may at any time, amend, suspend, or repeal any or all of the provisions of this Act.

²⁷⁵ 7 U.S.C. 361h. Amended by the Act of August 11, 1955, ch. 790, sec. 1, 69 Stat. 674.

²⁷⁶ 7 U.S.C. 361i. Amended by the Act of August 11, 1955, ch. 790, sec. 1, 69 Stat. 674.

SMITH-LEVER ACT

(Act of May 8, 1914)



SMITH-LEVER ACT

Act of May 8, 1914, ch. 79, 38 Stat. 372, 7 U.S.C. 341 et seq.

Chap. 79.--AN ACT To provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an Act of Congress approved July second, eighteen hundred and sixty-two, and of Acts supplementary thereto, and the United States Department of Agriculture

SEC. 1.²⁷⁷ In order to aid in diffusing among the people of the United States useful and practical information on subjects relating to agriculture, home economics, and rural energy, and to encourage the application of the same, there may be continued or inaugurated in connection with the college or colleges in each State, Territory, or possession, now receiving, or which may hereafter receive, the benefits of the Act of Congress approved July second, eighteen hundred and sixty-two, entitled "An Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts" (Twelfth Statutes at Large, page five hundred and three) and of the Act of Congress approved August thirtieth, eighteen hundred and ninety (Twenty-sixth Statutes at Large, page four hundred and seventeen and chapter eight hundred and forty-one) agricultural extension work which shall be carried on in cooperation with the United States Department of Agriculture: *Provided*, That in any State, Territory, or possession in which two or more such colleges have been or hereafter may be established, the appropriations hereinafter made to such State, Territory, or possession shall be administered by such college or colleges as the legislature of such State, Territory, or possession may direct. 222

²⁷⁷ 7 U.S.C. 341. The Smith-Lever Act was amended in its entirety by the Act of June 26, 1953, ch. 157, 67 Stat. 83. Section 1 was amended as follows: added ", Territory, or possession" wherever appearing; added "continued or"; and deleted ":Provided further, That, pending the inauguration and development of the cooperative extension work herein authorized, nothing in this Act shall be construed to discontinue either the farm management work or the farmers cooperative demonstration work as now conducted by the Bureau of Plant Industry of the Department of Agriculture" following "may direct".

²⁷⁸ The words "uses of solar energy with respect to agriculture", were added by the National Agricultural Research, Extension, and Teaching Policy Act of 1977, contained in the Food and Agriculture Act of 1977, Public Law 95-113, section 1447(1), 91 Stat. 1011, and were repealed by the Food, Agriculture, Conservation, and Trade Act of 1990, Public Law 101-624, section 1601(f)(1)(D), 104 Stat. 3704.

²⁷⁹ Reference to "rural energy" added by the Biomass Energy and Alcohol Fuels Act of 1980, Public Law 96-294, section 256, 94 Stat. 708.

²⁸⁰ First Morrill Act.

²⁸¹ Second Morrill Act.

The definition of "solar energy" added by the National Agricultural Research, Extension, and Teaching Policy Act of 1977, contained in the Food and Agriculture Act of 1977, Public Law 95-113, section 1447(2), 91 Stat. 1011, was deleted by the Food, Agriculture, Conservation, and Trade Act of 1990, section 1601(f)(1)(D), 104 Stat. 3704.

SEC. 2.²⁶³ Cooperative agricultural extension work shall consist of the development of practical applications of research knowledge and giving of instruction and practical demonstrations of existing or improved practices or technologies in agriculture,²⁶³ home economics, and rural energy,²⁶³ and subjects relating thereto to persons not attending or resident in said colleges in the several communities, and imparting information on said subjects through demonstrations, publications, and otherwise and for the necessary printing and distribution of information in connection with the foregoing; and this work shall be carried on in such manner as may be mutually agreed upon by the Secretary of Agriculture and the State agricultural college or colleges or Territory or possession receiving the benefits of this Act.

²⁸³ 7 U.S.C. 342. Amended by the Act of June 26, 1953, ch. 157, 67 Stat. 83, and further amended by the Act of October 5, 1962, Public Law 87-749, 76 Stat. 745, as follows: The Act of June 26, 1953, inserted "and subjects relating thereto" after "agriculture and home economics" near beginning of section, and inserted the reference to necessary printing and distribution of information. The Act of October 5, 1962, inserted "or Territory or possession" following "college or colleges". The National Agricultural Research, Extension, and Teaching Policy Act of 1985, section 1435, 99 Stat. 1557, added the words "development of practical applications of research knowledge and" after the words "consist of the" and added the words "of existing or improved practices or technologies" after the words "practical demonstrations".

The Act of June 26, 1953, ch. 157, 67 Stat. 83 amended this section to read:

- "(a) There are hereby authorized to be appropriated for the purposes of this Act such sums as Congress may from time to time determine to be necessary.
- "(b) Out of such sums, each State, Alaska, Hawaii, Puerto Rico, and the Federal Extension Service shall be entitled to receive annually a sum of money equal to the sums received from Federal cooperative extension funds for the fiscal year 1953, and such sums shall be subject to the same requirements as to furnishing of equivalent sums by the State, Alaska, Hawaii, and Puerto Rico as existed immediately prior to the passage of this Act, except that amounts heretofore made available to the Secretary for allotment on the basis of special needs shall continue available for use on the same basis: *Provided, That, in addition, Puerto Rico shall be authorized* to receive the total initial amount set by the provisions of the Act of October 26, 1949 (63 Stat. 926), and this amount shall be increased each succeeding fiscal year in accordance with such provisions until the total sum shall include the maximum amount set by the provisions of the Act of October 26, 1949, and Puerto Rico shall be entitled to receive such amount annually thereafter.
- "(c) Any sums made available by the Congress for further development of cooperative extension work in addition to those referred to in subsection (b) hereof shall be distributed as follows:
- "1. Four per centum of the sum so appropriated for each fiscal year shall be allotted among the States, Alaska, Hawaii, and Puerto Rico by the Secretary of Agriculture on the basis of special needs as determined by the Secretary.

²⁸⁴ 7 U.S.C. 343. This section appears as amended by the Act of October 5, 1962, exclusive of subsequent amendments noted below. Prior to amendment by the Act of June 26, 1953, ch. 157, 67 Stat. 83, this section read as follows: "That for the purpose of paying the expenses of said cooperative agricultural extension work and the necessary printing and distributing of information in connection with the same, there is permanently appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$480,000 for each year, \$10,000 of which shall be paid annually, in the manner hereinafter provided, to each State which shall by action of its legislature assent to the provisions of this Act: Provided, That payment of such installments of the appropriation hereinbefore made as shall become due to any State before the adjournment of the regular session of the legislature meeting next after the passage of this Act may, in the absence of prior legislative assent, be made upon the assent of the governor thereof, duly certified to the Secretary of the Treasury: Provided further, That there is also appropriated an additional sum of \$600,000 for the fiscal year following that in which the foregoing appropriation first becomes available, and for each year thereafter for seven years a sum exceeding by \$500,000 the sum appropriated for each preceding year, and for each year thereafter there is permanently appropriated for each year the sum of \$4,100,000 in addition to the sum of \$480,000 hereinbefore provided: Provided further, That before the funds herein appropriated shall become available to any college for any fiscal year plans for the work to be carried on under this Act shall be submitted by the proper officials of each college and approved by the Secretary of Agriculture. Such additional sums shall be used only for the purposes hereinbefore stated, and shall be allotted annually to each State by the Secretary of Agriculture and paid in the manner hereinbefore provided, in the proportion which the rural population of each State bears to the total rural population of all the States as determined by the next preceding Federal census: Provided further, That no payment out of the additional appropriations herein provided shall be made in any year to any State until an equal sum has been appropriated for that year by the legislature of such State, or provided by State, county, college, local authority, or individual contributions from within the State, for the maintenance of the cooperative agricultural extension work provided for in this Act."

sums as Congress may from time to time determine to be necessary.

(b)(1) Out of such sums, each State and the Federal Extension Service shall be entitled to receive annually a sum of money equal to the sums available from Federal cooperative extension funds for the fiscal year 1962, and subject to the same requirements as to furnishing of equivalent sums by the State, except that amounts heretofore made available to the Secretary for allotment on the basis of special needs shall continue available for use on the same basis.

(2)²⁸⁵ There is authorized to be appropriated for the fiscal year²⁸⁶ ending June 30, 1971, and for each fiscal year thereafter, for payment to the Virgin Islands, Guam, and the Northern Mariana Islands \$100,000 each, which sums shall be in addition to the sums appropriated for the several States of the United States and Puerto Rico under the provisions of this section.²⁸⁷ The amount paid by the Federal government to the Virgin Islands and Guam pursuant to this paragraph shall not exceed during any fiscal year, except the fiscal years ending June 30, 1971, and June 30, 1972, when such amount may be used to pay the total cost

This section was modified by the National Agricultural Research, Extension, and Teaching Policy Act of 1977, Public Law 95-113, sec. 1464, 91 Stat. 1018; the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1981, Public Law 97-98, sec. 1438, 95 Stat. 1314; and further modified by the Food, Agriculture, Conservation, and Trade Act of 1990, Public Law 101-624, sec. 1601(b)(4), 104 Stat. 3703.

[&]quot;2. Fifty per centum of the remainder of the sum so appropriated for each fiscal year shall be paid to the several States, Alaska, Hawaii, and Puerto Rico in the proportion that the rural population of each bears to the total rural population of the several States, Alaska, Hawaii, and Puerto Rico, as determined by the census, and the remainder shall be paid to the several States, Alaska, Hawaii, and Puerto Rico in the proportion that the farm population of each bears to the total farm population of the several States, Alaska, Hawaii, and Puerto Rico, as determined by the census: *Provided*, That payments out of the additional appropriations fur further development of extension work authorized herein may be made subject to the making available of such sums of public funds by the States, Alaska, Hawaii, and Puerto Rico from non-Federal funds for the maintenance of cooperative agricultural extension work provided for in this Act, as may be provided by the Congress at the time such additional appropriations are made: *Provided further*, That any appropriation made hereunder shall be allotted in the first and succeeding years on the basis of the decennial census current at the time such appropriation is first made, and as to any increase on the basis of decennial census current at the time such increase is first appropriated.

[&]quot;(d) The Federal Extension Service shall receive such amounts as Congress shall determine for administration, technical, and other services and for coordinating the extension work of the Department and the several States, Territories, and possessions."

²⁸⁵ Paragraph (2) was added by the Act of June 23, 1972, Public Law 92-318, section 506(3), 86 Stat. 351, effective after June 30, 1970.

The Act of April 21, 1976, Public Law 94-274, section 201(15) and (22), 90 Stat. 383, provides that the "period July 1, 1976 through September 30, 1976 shall be treated as a fiscal year" for the purpose of section 3(b)(2) and 3(c).

Amended by the Act of August 27, 1986, 100 Stat. 840, Public Law 99-396, by striking out "and Guam" in the first sentence of this subsection and inserting in lieu thereof "Guam, and the Northern Mariana Islands".

of providing services pursuant to this Act, the amount available and budgeted for expenditure by the Virgin Islands and Guam for the purposes of this Act.

- (c) Any sums made available by the Congress for further development of cooperative extension work in addition to those referred to in subsection (b) hereof shall be distributed as follows:
- 1. Four per centum of the sum so appropriated for each fiscal year shall be allotted to the Federal Extension Service for administrative, technical, and other services, and for coordinating the extension work of the Department and the several States, Territories and possessions.
- 2. Of the remainder so appropriated for each fiscal year 20 per centum shall be paid to the several States in equal proportions, 40 per centum shall be paid to the several States in the proportion that the rural population of each bears to the total rural population of the several States as determined by the census, and the balance shall be paid to the several States in the proportion that the farm population of each bears to the total farm population of the several States as determined by the census: *Provided*, That payments out of the additional appropriations for further development of extension work authorized herein may be made subject to the making available of such sums of public funds by the States from non-Federal funds for the maintenance of cooperative agricultural extension work provided for in this Act, as may be provided by the Congress at the time such additional appropriations are made: *Provided further*, That any appropriation made hereunder shall be allotted in the first and succeeding years on the basis of the decennial census current at the time such appropriation is first made, and as to any increase, on the basis of decennial census current at the time such increase is first appropriated.
- (d) The Federal Extension Service shall receive such amounts as Congress shall determine for administration, technical, and other services and for coordinating the extension work of the Department and the several States, Territories, and possessions.
- (e)²⁸⁸ Insofar as the provisions of subsections (b) and (c) of this section, which require or permit Congress to require matching of Federal funds, apply to the Virgin Islands of the United States and Guam, such provisions shall be deemed to have been satisfied, for the fiscal years ending September 30, 1978, and September 30, 1979, only, if the amounts budgeted and available for expenditure by the Virgin Islands of the United States and Guam in such years equal the amounts budgeted and available for expenditure by the Virgin Islands of the United States and Guam in the fiscal year ending September 30, 1977.
- (f)²⁸⁹(1) The Secretary of Agriculture may conduct educational, instructional, demonstration, and publication distribution programs through the Federal Extension Service and enter into cooperative agreements with private nonprofit and profit organizations and individuals to share the cost of such programs through contributions from private sources as provided in this subsection.
- (2) The Secretary may receive contributions under this subsection from private sources for the purposes described in paragraph (1) and provide matching funds in an amount not greater than 50 percent of such contributions.

²⁸⁸ Subsection (e) was added by the National Agricultural Research, Extension, and Teaching Policy Act of 1977, contained in the Food and Agriculture Act of 1977, Public Law 95-113, section 1465, 91 Stat. 1018.

²⁸⁹ Subsection (f) added by the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985, contained in the Food Security Act of 1985, Public Law 99-198, section 1435(b), 99 Stat. 1557.

- SEC. 4.²⁹⁰ On or about the first day of October in each year after the passage of this Act, the Secretary of Agriculture shall ascertain as to each State whether it is entitled to receive its share of the annual appropriation for cooperative agricultural extension work under this Act and the amount which it is entitled to receive. Before the funds herein provided shall become available to any college for any fiscal year, plans for the work to be carried on under this Act shall be submitted by the proper officials of each college and approved by the Secretary of Agriculture. The Secretary shall ensure that each college seeking to receive funds under this Act has in place appropriate guidelines, as determined by the Secretary, to minimize actual or potential conflicts of interest among employees of such college whose salaries are funded in whole or in part with such funds.²⁹¹ Such sums shall be paid in equal quarterly payments in or about July, October, January, and April of each year to the treasurer or other officer of the State duly authorized by the laws of the State to receive the same, and such officer shall be required to report to the Secretary of Agriculture on or about the first day of April of each year, a detailed statement of the amount so received during the previous fiscal year and its disbursement, on forms prescribed by the Secretary of Agriculture.
- SEC. 5.292 If any portion of the moneys received by the designated officer of any State, for the support and maintenance of cooperative agricultural extension work, as provided in this Act, shall by any action or contingency be diminished or lost or be misapplied, it shall be replaced by said State, and until so replaced no subsequent appropriation shall be apportioned or paid to said State. No portion of said moneys shall be applied, directly or indirectly, to the purchase, erection, preservation, or repair of any building or buildings, or the purchase or rental of land, or in college-course teaching, lectures in college, or any other purpose not specified in this Act. It shall be the duty of said colleges, annually, on or about the first day of January, to make to the Governor of the State in which it is located a full and detailed report of its operations in extension work as defined in this Act, including a detailed statement of receipts and expenditures from all sources for this purpose, a copy of which report shall be sent to the Secretary of Agriculture.
- SEC. 6.²⁹³ If the Secretary of Agriculture finds that a State is not entitled to receive its share of the annual appropriation, the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the expiration of the Congress next succeeding a session of the legislature of the State from which funds have been withheld in order that the State may, if it should so desire, appeal to Congress from the determination of the Secretary of Agriculture. If the next Congress shall not direct such sum to be paid, it shall be covered into the Treasury.

²⁹⁰ 7 U.S.C. 344. The Act of June 26, 1953, ch. 157, 67 Stat. 83, amended this section to read as it appears exclusive of subsequent amendments noted below.

The Act of October 5, 1962, Public Law 87-749, section 1(f), 76 Stat. 745, deleted: ", Territory, or possession" following "State" each place it appears; substituted "quarterly" for "semiannual"; and substituted "in or about July, October, January, and April" for "on the first day of January and July".

The Act of April 21, 1970, Public Law 94-273, section 15, 90 Stat. 379, substituted "of October" for "of July" and substituted "of April" for "of January".

²⁹¹ This sentence was added by the Food, Agriculture, Conservation, and Trade Act of 1990, Public Law 101-624, section 1617, 104 Stat. 3732.

²⁹² 7 U.S.C. 345. The Act of June 26, 1953, ch. 157, 67 Stat. 83, amended this section to read as it appears exclusive of the amendments noted in footnote 14.

²⁹³ 7 U.S.C. 346. The Act of June 26, 1953, ch. 157, section 1, 67 Stat. 85, amended this section to read as it appears exclusive of subsequent amendments noted in footnote 14.

SEC. 7.294 (Repealed)

- SEC. 8.²⁹⁵ (a) The Congress finds that there exists special circumstances in certain agricultural areas which cause such areas to be at a disadvantage insofar as agricultural development is concerned, which circumstances include the following: (1) There is concentration of farm families on farms either too small or too unproductive or both; (2) such farm operators because of limited productivity are unable to make adjustments and investments required to establish profitable operations; (3) the productive capacity of the existing farm unit does not permit profitable employment of available labor; (4) because of limited resources, many of these farm families are not able to make full use of current extension programs designed for families operating economic units nor are extension facilities adequate to provide the assistance needed to produce desirable results.
- (b) In order to further the purposes of section 2 in such areas and to encourage complementary development essential to the welfare of such areas, there are hereby authorized to be appropriated such sums as the Congress from time to time shall determine to be necessary for payments to the States²⁹⁶ on the basis of special needs in such areas as determined by the Secretary of Agriculture.
- (c) In determining that the area has such special need, the Secretary shall find that it has a substantial number of disadvantaged farms or farm families for one or more of the reasons heretofore enumerated. The Secretary shall make provisions for the assistance to be extended to include one or more of the following: (1) Intensive on-the-farm educational assistance to the farm family in appraising and resolving its problems; (2) assistance and counseling to local groups in appraising resources for capability of improvement in agriculture or introduction of industry designed to supplement farm income; (3) cooperation with other agencies and groups in furnishing all possible information as to existing employment opportunities, particularly to farm families having underemployed workers; and (4) in cases where the farm family, after analysis of its opportunities and existing resources, finds it advisable to seek a new farming venture, the providing of information, advice, and counsel in connection with making such change.
- (d) No more than 10 per centum of the sums available under this section shall be allotted to any one State. The Secretary shall use project proposals and plans of work submitted by the State Extension directors as a basis for determining the allocation of funds appropriated pursuant to this section.
- (e) Sums appropriated pursuant to this section shall be in addition to, and not in substitution for, appropriations otherwise available under this Act. The amounts authorized to be appropriated pursuant to this section shall not exceed a sum in any year equal to 10 per centum of sums otherwise appropriated pursuant to this Act.
- SEC. 9.297 The Secretary of Agriculture is authorized to make such rules and regulations as may be necessary for carrying out the provisions of this Act.

²⁹⁴ 7 U.S.C. 347. Repealed by the Act of June 29, 1960, Public Law 86-533, section 1(21), 74 Stat. 249.

²⁹⁵ 7 U.S.C. 347a. Added by the Act of August 11, 1955, ch. 768, 69 Stat. 683, which renumbered original section 8 to read "section 9".

²⁹⁶ The Act of October 5, 1962, Public Law 87-749, section 1(h), 76 Stat. 745, deleted "Alaska, Hawaii, and Puerto Rico" following "States".

²⁹⁷ 7 U.S.C. 348. Amended by the Act of June 26, 1953, ch. 157, 67 Stat. 83.

SEC. 10.²⁹⁸ The term "State" means the States of the Union, Puerto Rico, the Virgin Islands, Guam and the Northern Mariana Islands.²⁹⁹

²⁹⁸ 7 U.S.C. 349. Added by the Act of October 5, 1962, Public Law 89-749, section 1(i), 76 Stat. 745. Amended by the Act of June 23, 1972, Public Law 92-318, section 506(h), 86 Stat. 351, to include the Virgin Islands and Guam.

²⁹⁹ Amended by the Act of August 27, 1986, Public Law 99-396, section 9(f), 100 Stat. 840, to include the Northern Mariana Islands.

RURAL DEVELOPMENT ACT OF 1972 (TITLE V)

(Contained in the Act of August 30, 1972, Public Law 92-419)



RURAL DEVELOPMENT ACT OF 1972

Act of August 30, 1972, Public Law 92-419, 86 Stat. 670, 7 U.S.C. 2651 et seq.

AN ACT To provide for improving the economy and living conditions in rural America

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Rural Development Act of 1972".

* * * *

TITLE V³⁰⁰--RURAL DEVELOPMENT AND SMALL FARM RESEARCH AND EDUCATION

- SEC. 501.³⁰¹ PURPOSES AND GOALS.--(a) The overall purpose of this title is to foster a balanced national development that provides opportunities for increased numbers of the people of the United States to work and enjoy a high quality of life dispersed throughout our Nation by providing the essential knowledge necessary for successful programs of rural development. It is further the purpose of this title to-
 - (1) provide multistate regional agencies, States, counties, cities, multicounty planning and development districts, businesses, industries, Indian tribes on Federal and State reservations or other federally recognized Indian tribal groups and others involved with public services and investments in rural areas or that provide or may provide employment in these areas the best available scientific, technical, economic, organizational, environmental, and management information and knowledge useful to them, and to assist and encourage them in the interpretation and application of this information to practical problems and needs in rural development;
 - (2) provide research and investigations in all fields that have as their purpose the development of useful knowledge and information to assist those planning, carrying out, managing, or investing in facilities, services, businesses, or other enterprises, public and private, that may contribute to rural development;
 - (3) increase the capabilities of, and encourage, colleges and universities to perform the vital public service roles of research, and the transfer and practical application of knowledge, in support of rural development;

Amended by the Act of April 5, 1976, Public Law 94-259, section 1, 90 Stat. 314; the National Agricultural Research, Extension, and Teaching Policy Act of 1977, Public Law 95-113, sections 1441 and 1442, 91 Stat. 1006; the Rural Development Policy Act of 1980, Public Law 96-355, section 4, 94 Stat. 1173; the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1981, Public Law 97-98, section 1444, 95 Stat. 1322-1326, by revising sections 501 through 508 in their entirety. Section 502(f) was revised by the Rural Crisis Recovery Program Act of 1987, Public Law 100-219, section 2, 101 Stat. 1456. Sections 502 and 503 were further amended by the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985, Public Law 99-198, section 1440, 99 Stat. 1560, and by the Food, Agriculture, Conservation, and Trade Act, Public Law 101-624, sections 2346, 2349, 2389, and 2390.

^{301 7} U.S.C. 2661.

- (4) expand small farm research and extend training and technical assistance to small farm families in assessing their needs and opportunities and in using the best available knowledge on sound economic approaches to small farm operations and on existing services offered by the Department of Agriculture and other public and private agencies and organizations to improve their income and to gain access to essential facilities and services; and
- (5) support activities to supplement and extend programs that address special research and education needs in States experiencing rapid social and economic adjustments or unique problems caused by rural isolation and that address national and regional rural development policies, strategies, issues, and programs.
- (b) The goals of this title are to--
- (1) encourage and support rural United States, in order to help make it a better place to live, work, and enjoy life;
- (2) increase income and improve employment for persons in rural areas, including the owners or operators of small farms, small businesses, and rural youth;
 - (3) improve the quality and availability of essential community services and facilities in rural areas;
 - (4) improve the quantity and quality of rural housing;
- (5) improve the rural management of natural resources so that the growth and development of rural communities needed to support the family farm may be accommodated with minimum effect on the natural environment and the agricultural land base;
- (6) improve the data base for rural development decisionmaking at local, State, and national levels; and
- (7) improve the problem solving and development capacities and effectiveness of rural governments, officials, institutions, communities, community leaders, and citizen groups in--
 - (A) improving access to Federal programs;
 - (B) improving targeting and delivery of technical assistance;
 - (C) improving coordination among Federal agencies, other levels of government, and institutions and private organizations in rural areas; and
 - (D) developing and disseminating better information about rural conditions.
- SEC. 502.³⁰² PROGRAMS AUTHORIZED.--The Secretary of Agriculture may conduct, in cooperation and coordination with colleges and universities, the following programs to carry out the purposes and achieve the goals of this title.
- (a) RURAL DEVELOPMENT EXTENSION PROGRAMS.--Rural development extension programs shall consist of the collection, interpretation, and dissemination of useful information and knowledge from research and other sources to units of multistate regional agencies, State, county, municipal, and other units

³⁰² 7 U.S.C. 2662.

of government, multicounty planning and development districts, organizations of citizens contributing to community and rural development, businesses, Indian tribes on Federal or State reservations or other federally recognized Indian tribal groups, and industries that employ or may employ people in rural areas. These programs also shall include technical services and educational activities, including instruction for persons not enrolled as students in colleges or universities, to facilitate and encourage the use and practical application of this information. These programs may also include feasibility studies and planning assistance.

- (b) RURAL DEVELOPMENT RESEARCH.--Rural development research shall consist of research, investigations, and basic feasibility studies in any field or discipline that may develop principles, facts, scientific and technical knowledge, new technology, and other information that may be useful to agencies of Federal, State, and local government, industries in rural areas, Indian tribes on Federal and State reservations or other federally recognized Indian tribal groups, and other organizations involved in community and rural development programs and activities in planning and carrying out such programs and activities or otherwise be practical and useful in achieving the purposes and goals of this title.
- (c) SMALL FARM RESEARCH PROGRAMS.--Small farm research programs shall consist of programs of research to develop new approaches for initiating and upgrading small farm operations through management techniques, agricultural production techniques, farm machinery technology, new products, new marketing techniques, and small farm finance; to develop new enterprises that can use labor, skills, or natural resources available to the small farm family; or that will help to increase the quality and availability of services and facilities needed by the small farm family.
- (d) SMALL FARM EXTENSION PROGRAMS.--Small farm extension programs shall consist of extension programs to improve small farm operations, including management techniques, agricultural production techniques, farm machinery technology, marketing techniques and small farm finance; to increase use by small farm families of existing services offered by the Department of Agriculture and other public and private agencies and organizations; to assist small farm families in establishing and operating cooperatives for the purpose of improving their family income from farming or other economic activities; to increase the quality and availability of services and facilities needed by small farm families; and to develop new enterprises that can use labor, skills, or natural resources available to the small farm family.
- (e) SPECIAL GRANTS PROGRAMS.--Special grants programs shall consist of extension and research programs to strengthen research and education on national and regional issues in rural development, including the assessment of alternative policies and strategies for rural development and balanced growth; to develop alternative strategies for national and regional investment, and the creation of employment, in rural areas; to develop alternative energy policies to meet rural development needs; and to strengthen rural development programs of agencies of the Department of Agriculture and those in other Federal departments and agencies.
- (f)³⁰³ COMPETITIVE GRANTS FOR FINANCIALLY STRESSED FARMERS, DISLOCATED FARMERS, AND RURAL FAMILIES.--
 - (1) GRANT PROGRAM.--

³⁰³ Amended by the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985, contained in the Food Security Act of 1985, Public Law 99-198, section 1440(a), 99 Stat. 1560, to add a new subsection (f) to section 502. Such subsection (f) was revised by the Rural Crisis Recovery Program Act of 1987, Public Law 100-219, section 2, 101 Stat. 1456. Further amended by the Food, Agriculture, Conservation, and Trade Act of 1990, Public Law 101-624, section 2389(b), to change the grants program criteria; insert new subparagraphs (B), (C), and (D); and make other technical and conforming amendments.

- (A) PROGRAM BENEFICIARIES.--The Secretary shall provide competitive grants for programs that meet the criteria specified in subparagraph (B) to develop counseling, retraining, and educational assistance for farmers, dislocated farmers, and rural families, who have been adversely affected by the current farm and rural economic crisis.
- (B) GRANT CRITERIA.--In order to be eligible to receive a grant under this subsection, an applicant must provide suitable assurances that--
 - (i) not less than one-half of the grant funds to the applicant will be used for clinical outreach counseling and crisis management assistance, as required by subparagraph (C);
 - (ii) a significant number of farms within the State have a ratio of debts to assets of 40 percent or more, the State's rural economy has been facing adverse economic conditions for a period of years, or such other conditions exist, as determined by the Secretary, such that the assistance provided under this subsection is necessary or appropriate;
 - (iii) the planning and implementation of the provision of services under this subsection will be coordinated with the appropriate State agency for mental health, department of health, office of rural health, and any other State agency or department responsible for assisting persons in rural areas of the State; and
 - (iv) the planning and implementation of the provision of services under this subsection will be coordinated with the appropriate local governments and other public and private nonprofit agencies and organizations located in rural areas and involved in addressing problems related to the mental health of rural residents.
- (C) COUNSELING AND OUTREACH REQUIRED.--Not less than 50 percent of the grant funds to a State under this subsection shall be used to provide clinical outreach counseling and crisis management assistance.
- (D) OTHER SERVICES TO BE PROVIDED.--In addition to the counseling and outreach services required under subparagraph (C), the following services may also be provided through programs funded under this section:
 - (i) Assistance in evaluating individual or family finances, preparing financial plans, and implementing financial plans and management strategies.
 - (ii) Evaluation of vocational skills and counseling in enhancing such skills.
 - (iii) Assistance in obtaining training in basic, remedial, and literacy skills.
 - (iv) Assistance in job search and training in job-seeking skills.
 - (v) Assistance in obtaining training for operating a business or enterprise.
 - (vi) Formal on-the-job training to the extent practicable.
 - (vii) Tuition assistance (including fees, books, and other educational expenses) to the extent practicable.
 - (viii) Assistance for local officials and groups in developing income and employment alternatives.

- (E) AUTHORITY OF GRANT RECIPIENTS TO CONTRACT FOR DELIVERY OF SERVICES.—The recipients of a grant under this subsection may contract for the delivery of such services with units of local government, State agencies, accredited educational institutions, and other appropriate public and private nonprofit agencies and organizations.
- (F) DEVELOPMENT OF COMPREHENSIVE PLAN.--The Agricultural Extension Service of the Department of Agriculture shall work with the appropriate State office of rural health, State department or agency of mental health, and other State agencies, units of local government, and other public and private nonprofit agencies and organizations in developing an annual comprehensive plan for the use of the grant funds and the delivery of services provided for in this subsection.

For recipients in a State to be eligible for a grant under this subsection in any fiscal year, the Cooperative Extension Service within the State must develop and sign a Memorandum of Agreement with the appropriate State department or agency of mental health and other state agencies as may be appropriate to carry out the comprehensive plan. Such agreement and plan must emphasize the development and delivery of counseling and outreach programs as provided under subparagraph (B).³⁰⁴

(2)³⁰⁵ GRANT PERIOD.--Grants may be made under paragraph (1) to eligible applicants in any State applying for such grants during the period beginning on the date of the enactment of this Act and ending on December 23, 1995.

(g)306 RURAL ECONOMIC AND BUSINESS DEVELOPMENT.--

- (1) IN GENERAL.--The Secretary shall establish an Extension Service rural economic and business development program to enable States or counties to employ specialists as Cooperative Extension Service staff of the State or county to assist individuals in creating new businesses, including cooperatives, or to assist existing businesses, and to assist such businesses regarding advanced telecommunications, computer technologies, technical or management assistance, business and financial planning, and other related matters, and to assist community leaders in community economic analysis and strategic planning.
- (2) FUNCTION OF SPECIALISTS.--Specialists employed under paragraph (1) shall provide economic development information and assistance concerning business creation, business planning and advice, advanced telecommunications, business management, computer operations, and other technical assistance to community leaders and private sector entrepreneurs and cooperatives operating in the State or county that employs such specialists.
- (3) PROCEDURES AND LIMITATIONS.--The Secretary shall establish policies, procedures, and limitations that shall apply to States and counties that desire to participate in the program established under this subsection. States and counties shall determine the

³⁰⁴ Amended by the Food, Agriculture, Conservation, and Trade Act of 1990, Public Law 101-624, section 2389(b), 104 Stat. 4054, to add the last two sentences at the end of paragraph (1).

³⁰⁵ Amended by the Food, Agriculture, Conservation, and Trade Act of 1990, Public Law 101-624, section 2389(a), 104 Stat. 4053, by striking "1990" and inserting "1995"; and by inserting after the words "under paragraph (1)" the words "to eligible applicants in any State applying for such grants".

³⁶⁶ Amended by the Food, Agriculture, Conservation, and Trade Act of 1990, Public Law 101-624, section 2346, 104 Stat. 4032, by adding a new subsection (g) and a new subsection (b) immediately following (g). See footnote 8.

types of rural economic and business development specialists that are needed by such States and counties. In States with land-grant colleges and universities eligible to receive funds under the Act of July 2, 1862 (7 U.S.C. 301 et seq.), and the Act of August 30, 1890 (7 U.S.C. 321 et seq.), including Tuskegee University, such eligible institutions shall determine the types of rural economic and business development specialists needed.

- (4) PAYMENT OF SALARY.--The Secretary shall make grants to States and counties that participate in the program established under this section in an amount equal to 60 percent of the total amount of the salary paid to any specialists employed under such program, and the State or county shall provide funds for the remaining 40 percent of such salary. Landgrant colleges and universities eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321 et seq.), including Tuskegee University, shall be exempt from the 40 percent salary matching requirement.
- (5) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.--To carry out this section, there are authorized to be appropriated \$5,000,000 in fiscal year 1991, \$10,000,000 in fiscal year 1992, \$15,000,000 in fiscal year 1993, and \$20,000,000 in fiscal year 1994 and each subsequent fiscal year. Amounts appropriated under this section shall remain available until expended.
- (6) COORDINATION.--The Secretary shall ensure that the activities of the Extension Service rural economic and business development program established under this subsection are coordinated with the Small Business Administration to ensure that there is no duplication of activities in any local area, county or region.

(b)³⁰⁷ RURAL DEVELOPMENT EXTENSION WORK.--

- (1) NATIONAL PROGRAM.--The Secretary of Agriculture shall establish a national program, to be administered by the Extension Service, to provide rural citizens with training in, technical and management assistance regarding, and educational opportunities to enhance their knowledge of--
 - (A) beginning business through entrepreneurship;
 - (B) the procedures necessary to establish new businesses in rural areas;
 - (C) self-employment opportunities in rural areas;
 - (D) the uses of modern telecommunications and computer technologies;
 - (E) business and financial planning; and
 - (F) such other training, assistance, and educational opportunities as the Secretary determines are necessary to carry out the program established under this subsection.
- (2) LEADERSHIP ABILITIES.--The program established under this subsection shall provide assistance designed to increase the leadership abilities of residents in rural areas. Such assistance shall include--

³⁰⁷ Construction error. Amended by the Food, Agriculture, Conservation, and Trade Act of 1990, Public Law 101-624, section 2346, 104 Stat. 4032, by adding a new subsection (b) after a new subsection (g).

- (A) information relevant to the development of community goals;
- (B) instruction regarding the methods by which State or Federal funding for rural development projects might be obtained;
- (C) instruction regarding the successful writing of applications for loan or grant funds from government and private sources;
- (D) an updated listing of State, Federal, and other economic development programs available to rural areas; and
- (E) such other training, information, and assistance as the Secretary determines necessary to increase the leadership abilities of residents in rural areas.
- (3) CATALOG OF PROGRAMS.--The National Rural Information Center Clearinghouse of the National Agricultural Library, in cooperation with the Extension Service in each State, should develop, maintain, and provide to each community, and make accessible to any other interested party, a catalog of available State, Federal, or private programs that provide leadership training or other information or services similar or complementary to the training or services required by this subsection. Such catalog should include, at a minimum, the following entities within the State that provide such training or services:
 - (A) Any rural electric cooperative.
 - (B) Any nonprofit company development corporation.
 - (C) Any economic development district that serves a rural community.
 - (D) Any nonprofit subsidiary of any private entity.
 - (E) Any nonprofit organization whose principal purpose is to promote economic development in rural areas.
 - (F) Any investor or publicly owned electric utility.
 - (G) Any small business development center or small business investment company.
 - (H) Any regional development organization.
 - (I) Any vocational or technical school.
 - (J) Any Federal, State, or local government agency or department.
 - (K) Any other entity that the Secretary deems appropriate.

The extension service in each State should include in the catalog information on the specific training or services provided by each entity in the catalog.

(4) EMPLOYEE TRAINING.--The Secretary shall provide training for appropriate State extension service employees, assigned to programs other than rural development, to ensure that such employees understand the availability of rural development programs in their respective States and the availability of Extension Service staff

qualified to provide to rural citizens and to State extension staff training and materials for technical, management, and educational assistance.

(5) COORDINATION OF ASSISTANCE.--The Secretary shall ensure, to the extent practicable, that assistance provided under this subsection is coordinated with and delivered in cooperation with similar services or assistance provided by other Federal agencies or programs for rural residents.

(h)308 RESEARCH GRANTS.--

- (1) IN GENERAL.--In addition to the programs already conducted under this section, the Secretary shall also establish and carry out a program to award competitive research grants to land-grant colleges and universities, research foundations, and centers established by land-grant and universities, State agricultural experiment stations, and to all colleges and universities having demonstrable capability in rural development research, as determined by the Secretary, to carry out research to--
 - (A) determine factors which impact upon rural economic development whether favorably or unfavorably;
 - (B) estimate the relative impacts of these factors;
 - (C) develop methodologies to investigate policy options for rural economic development;
 - (D) evaluate the impact of Federal and State economic development policies and programs designed to improve economic competitiveness and diversification;
 - (E) support strategic planning for economic investments;
 - (F) improve human resources; and
 - (G) improve the data base for rural development decisionmaking in rural areas.
- (2) LIMITATION ON AUTHORIZATION OF APPROPRIATIONS.--To carry out this subsection, there are authorized to be appropriated to the Secretary not to exceed \$3,000,000 in each fiscal year. Amounts appropriated under this subsection shall remain available until expended.
- (i)³⁰⁹ RURAL HEALTH AND SAFETY EDUCATION PROGRAMS.--
 - (1) PROGRAMS AUTHORIZED .--

³⁰⁸ Amended by the Food, Agriculture, Conservation, and Trade Act of 1990, Public Law 101-624, 104 Stat. 4037, section 2349, by adding a new subsection (h).

Not so in original due to legislative construction error. Amended by the Food, Agriculture, Conservation, and Trade Act of 1990, section 2390(b)(1), Public Law 101-624, 104 Stat. 4055, by adding a new subsection (h). Section 2349 of the above identified Act mandated a new subsection (h). Section 2390 also mandated a new subsection (h). The author has taken license and corrected the reference.

- (A) INDIVIDUAL AND FAMILY HEALTH EDUCATION.--The Secretary may make grants for the establishment of individual and family health education programs that shall provide individuals and families with--
 - (i) information concerning the value of good health;
 - (ii) information to increase the individual or families motivation to take more responsibility for their own health;
 - (iii) access to health promotion activities; and
 - (iv) training for volunteers and health services providers concerning health promotion and health care services, in cooperation with the Department of Health and Human Services.
- (B) FARM SAFETY EDUCATION.--The Secretary may make grants for the establishment of farm safety education programs that shall provide information and training to farm workers, timber harvesters, and farm families concerning safety in the work place, including information and training concerning--
 - (i) the reduction of occupational injury and death rates;
 - (ii) the reduction and prevention of exposure to farm chemicals;
 - (iii) the reduction of agricultural respiratory diseases and dermatitis;
 - (iv) the reduction and prevention of noise induced hearing loss;
 - (v) the occupational rehabilitation of farmers and timber harvesters with physical disabilities; and
 - (vi) farm accident rescue procedures.
- (2) COORDINATION OF PROGRAMS.--Educational programs conducted with grants awarded under this subsection shall be coordinated with the State offices of rural health and other appropriate programs of the Department of Health and Human Services.
- (3) DISSEMINATION OF INFORMATION.--Educational programs conducted with grants awarded under this subsection shall provide leadership within the State for the dissemination of appropriate rural health and safety information resources possessed by the Rural Information Center established at the National Agricultural Library.
- (4) PROCEDURES AND LIMITATIONS.--The Secretary shall establish policies, procedures and limitations that shall apply to States that desire to receive a grant under this subsection. In States with land-grant colleges and universities that are eligible to receive funds under the Act of July 2, 1862 (7 U.S.C. 301 et seq.), and the Act of August 30, 1890 (7 U.S.C. 321 et seq.), including Tuskegee University, and universities which receive Rural Health Research Center grants, such eligible institutions shall mutually determine the type of rural health and safety education program needed in the State within which such institutions reside.

- (5) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.--For grants under this subsection, there are authorized to be appropriated \$5,000,000 for fiscal year 1991, \$10,000,000 for fiscal year 1992, \$15,000,000 for fiscal year 1993, and \$20,000,000 for fiscal year 1994 and each subsequent fiscal year. Amounts appropriated under this subsection shall remain available until expended.
- SEC. 503.³¹⁰ APPROPRIATION AND ALLOCATION OF FUNDS.--(a) There are authorized to be appropriated such sums as are necessary to carry out the purposes of this title.
- (b) Such sums as are appropriated to carry out the provisions of sections 502(a) and 502(b) of this title shall be distributed by the Secretary of Agriculture as follows:
 - (1) 4 per centum shall be retained by the Secretary for program administration and national coordination of State programs, and program administration to the States;
 - (2) 10 per centum shall be used to finance work serving two or more States in which colleges or universities in two or more States cooperate or that is conducted by one college or university to serve two or more States;
 - (3) 20 per centum shall be allocated equally among the States; and
 - (4) 66 per centum shall be allocated to each State as follows: One-half in an amount that bears the same ration to the total amount to be allotted as the rural population of the State bears to the total rural population of all the States, as determined by the last preceding decennial census current at that time; and one-half in an amount that bears the same ratio to the total amount to be allotted as the farm population of the State bears to the total farm population of all the States, as determined by the last preceding decennial census current at that time:

Provided: That, beginning with the fiscal year ending September 30, 1982, no State may receive more than \$75,000 until all States have been allotted a minimum of \$75,000.

- (c)³¹¹ ADDITIONAL DISTRIBUTIONS.--(1) Such sums as are appropriated to carry out the provisions of section 502(e), and section 502(h) of this title shall be distributed by the Secretary to colleges and universities, on a competitive or matching fund basis, according to the Secretary's determination of the projects and manner of funding that show the most promise of fulfilling the objectives of section 502(e), and section 502(h) of this title.
- (2) The Secretary shall distribute the amounts appropriated to carry out section 502(f) to colleges and universities in accordance with the requirements of such subsection.

³¹⁰ 7 U.S.C. 2663.

³¹¹ It should be noted that the legislative construction is flawed and Congressional intent is unclear. The Food, Agriculture, Conservation, and Trade Act of 1990, section 2389(c)(2)(B), 104 Stat. 4055, mandated in section 503(c) the deletion of the words "and section 502f" each place the term appears. Subsequently, section 2390(b)(2), 104 Stat. 4056, of said Act mandates the insertion of such term. The author has taken license in view of the language of subsection (c)(2) and deleted the words "and section 502f" in subsection (c)(1).

- (d) Funds appropriated under this title may be used to pay salaries and other expenses of personnel employed to carry out the functions authorized by this title; to obtain necessary supplies, equipment, and services; and to rent, repair, and maintain facilities needed, but not to purchase or construct buildings.
- (e) Payment of funds to any State for programs authorized under sections 502(a), 502(b), 502(c), and 502(d) of this title shall be contingent upon approval by the Secretary of a plan of work and budget for such programs and compliance with such regulations as the Secretary may issue under this title. Plans for work shall be jointly developed in each State by the land-grant colleges and universities eligible to receive funds under the Act of July 2, 1862 (7 U.S.C. 301 et seq.), and the Act of August 30, 1890 (7 U.S.C. 321 et seq.), including Tuskegee Institute. In States in which there is no land-grant institution eligible to receive funds under the Act of August 30, 1890, the land-grant institution eligible to receive funds under the Act of July 2, 1862, shall be responsible for developing plans of work and budgets. In the development of the plans of work and budgets, consideration shall be given to involvement of the resources and expertise of the colleges and universities serving the region in which the plans and budgets are to be applied.
- (f) Funds shall be available for use by each State in the fiscal year for which appropriated and the next fiscal year following the fiscal year for which appropriated. Funds shall be budgeted and accounted for on such forms and at such times as the Secretary shall prescribe.
- (g) Funds provided to each State under this title may be used to finance programs through or at private and publicly supported colleges and universities other than the institutions responsible for administering the programs, as provided under section 504 of this title.
- SEC. 504.³¹² COOPERATING COLLEGES AND UNIVERSITIES.--(a) To ensure national coordination with other federally supported agricultural research and extension programs, administration of each State program shall be the responsibility of the colleges and universities eligible to receive funds under the Act of July 2, 1862, and the Act of August 30, 1890, including Tuskegee Institute. In States that contain more than one such institution, such administration shall be the responsibility of the institution designated by mutual agreement of all such institutions, subject to approval by the Secretary of Agriculture. The Secretary shall pay funds available to each State to such institution or university. Such administration shall be coordinated with other federally supported agricultural research and extension programs conducted in the State.
- (b) All private and publicly supported colleges and universities in a State shall be eligible to participate in programs authorized under this title. Officials at universities or colleges other than those responsible for administering the programs that wish to participate in these programs shall submit program proposals to the college or university officials responsible for administering the programs who shall consider such proposals in the process of developing the budgets and plans of work.
- (c) The institution of each State responsible for administering the programs authorized under this title shall designate an official who shall be responsible for the overall coordination of the programs.
- (d) The institution in each State responsible for administering the programs authorized under this title shall name an advisory council to review and approve budgets and plans of work conducted under this title and to advise the chief administrative officer of the institution administering the programs on matters pertaining to the programs. An existing State rural development committee or council may be named to perform this function, or a new council may be appointed by the chief administrative officer or officers. The committee or council named or appointed shall consist of at least twelve members and shall include persons representing farmers, business, labor, banking, local government, multicounty planning and development

^{312 7} U.S.C. 2664.

districts, public and private colleges and universities in the State, and federal and State agencies involved in rural development.

SEC. 505.³¹³ WITHHOLDING FUNDS.--If the Secretary of Agriculture determines that a State is not eligible to receive part or all of the funds to which it is otherwise entitled for programs under sections 502(a) and 502(b) of this title because of a failure to comply with regulations issued by the Secretary under this title, the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the expiration of the Congress next succeeding the session of the legislature of the State from which funds have been withheld in order that the State may, if it should so desire, appeal to Congress from the determination of the Secretary. If the next Congress shall not direct such sum to be paid, it shall be covered into the Treasury. If any portion of the moneys that are received by the designated officers of any State for the support and maintenance of programs authorized under this title shall by any action or contingency be diminished or lost, or be misapplied, it shall be replaced by the State.

SEC. 506.314 DEFINITIONS.--For the purposes of this title--

- (a) "rural development" means the planning, financing, and development of facilities and services in rural areas that contribute to making those areas desirable places in which to live and make private and business investments; the planning, development, and expansion of business and industry in rural areas to provide increased employment and income; the planning, development, conservation, and use of land, water, and other natural resources of rural areas to maintain or improve the quality of the environment or people and business in rural areas; and the building or improvement of institutional, organizational, and leadership capacities of rural citizens and leaders to define and resolve their own community problems;
- (b) "State" means the several States, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands; and
- (c) "small farm" means any farm (1) producing family net income from all sources (farm and nonfarm) below the median nonmetropolitan income of the State; (2) operated by a family dependent on farming for a significant though not necessarily a majority of its income; and (3) on which family members provide most of the labor and management.
- SEC. 507.315 REGULATIONS.--The Secretary of Agriculture may issue such regulations as the Secretary determines necessary to carry out the provisions of this title.
- SEC. 508. SECRETARY'S AUTHORIZATION.--(a) The Secretary is authorized and directed to formulate and carry out a pilot program for the production and marketing of industrial hydrocarbons derived from agricultural commodities and forest products for the purpose of stabilizing and expanding the market for such commodities and products and expanding the Nation's supply of industrial hydrocarbons.
- (b) The Secretary shall provide for four pilot projects for the production of industrial hydrocarbons and alcohols from agricultural commodities and forest products by guaranteeing loans, not to exceed \$15,000,000 per each such project, to public, private, or cooperative organizations organized for profit or

^{313 7} U.S.C. 2665.

^{314 7} U.S.C. 2666.

^{315 7} U.S.C. 2667.

nonprofit, or to individuals for a term not to exceed twenty years at a rate of interest agreed upon by the borrower and lender.

- (c) No loan may be guaranteed under this section unless (1) research indicates the total energy content of the products and byproducts to be manufactured by the loan applicant will exceed the total energy input from fossil fuels used in the manufacture of such products and byproducts, and (2) such other conditions as the Secretary deems appropriate to achieve the purposes of this section are met.
- (d) In order to assure that the recipients of loans made under this section have a dependable supply of agricultural commodities at a stable price for use in the pilot projects provided for in this section, the Secretary is authorized to enter into long-term contracts, not exceeding five years, with the recipients of such loans. Such contracts shall guarantee the recipients of such loans a specified quantity of agricultural commodities annually at mutually agreed upon prices, but the agricultural commodities shall not be sold under any such contracts at less than the price support level prescribed for the commodity concerned unless the commodities are out of condition, unstorable, or sample-grade or lower, as prescribed in Department of Agriculture standards.
- (e) The Secretary shall supply from Commodity Credit Corporation stocks or, to such extent or in such amounts as are provided in appropriation Acts, purchase such quantities of agricultural commodities as may be necessary to comply with the terms of agreements entered into under this section.
 - (f) The provisions of this section shall be carried out through the Commodity Credit Corporation.

SEC. 509.316 Redesignated as section 508 in 1981.

SEC. 510.317 Repealed.

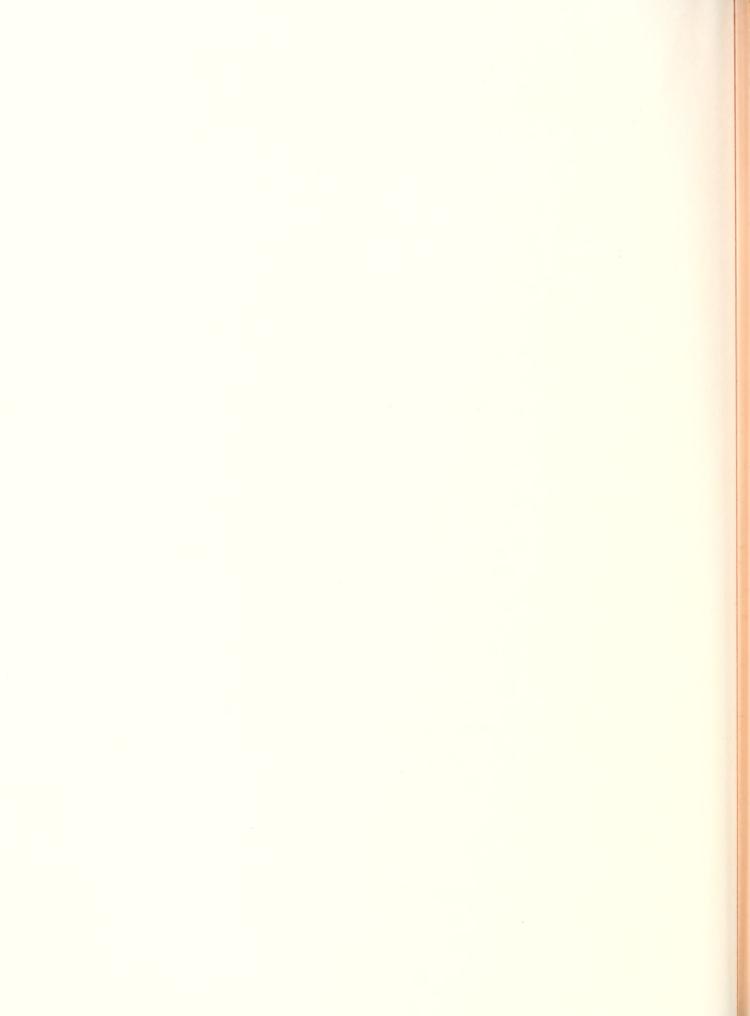
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³¹⁶ 7 U.S.C. 2669. Added as section 509 by the Food and Agriculture Act of 1977; redesignated as section 508 by the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1981, Public Law 97-98, section 1444(b), 95 Stat. 1326.

³¹⁷ 7 U.S.C. 2670. The reports requirement embodied in this section was repealed by the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1981, Public Law 97-98, section 1444(b), 95 Stat. 1326.









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